

**FINLAND**



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A PRÉCIS  
OF THE  
PUBLIC LAW OF FINLAND.

BY  
SENATOR L. MECHELIN.

TRANSLATED BY CHARLES J. COOKE,  
BRITISH VICE-CONSUL AT HELSINGFORS.

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## AUTHOR'S PREFACE.

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PEOPLE desirous of becoming acquainted with the political and administrative institutions of Finland are often prevented from doing so by the want of publications on the subject in any other languages than Swedish and Finnish. We purpose to fill this void.

The object of this work has determined its plan; neither construction of system nor development of theories will be found in it. The author's desire has been to make a simple exposition of the actual law on constitutional and administrative matters contained in the Statutes of the Grand Duchy. The work has no pretension beyond that of introducing into political science a group of facts hitherto little known. The difficulty of writing in a language

which is not one's own will, it is to be hoped, serve as an adequate claim on the reader's indulgence for the imperfections of style that will inevitably be met with in this book.

L. M.

## TRANSLATOR'S INTRODUCTION.

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THE French original of this work was published in 1886 by Senator Mechelin, formerly Professor of Public Law at Helsingfors University. The book attracted considerable attention, and was soon afterwards translated into Russian, causing a keen controversy between portions of the Moscovite and Finnish press, a certain party in Russia being desirous of regarding Finland in the light of a mere province of the Tsar's vast empire, whereas the Finlanders strenuously uphold the solemn deed by which the liberal-minded Alexander I. granted to the Finnish people (in the persons of the members of the Diet, assembled at Borgo, March 27, 1809) "the confirmation and ratification of the religion and fundamental laws of the land," *i.e.*, of

the Lutheran faith and constitutional government, as when under Swedish rule.

This Constitution has not only been rigidly adhered to ever since, but has even been much extended and strengthened, more especially by Alexander II. and the present Emperor and Grand Duke.

It is with the view of putting before the British public the peculiar relations existing between Russia and Finland, as well as to make the Grand Duchy less of a *terra incognita* than is still unfortunately the case, that the English translator has taken upon himself this pleasant task. Should he succeed thereby in inducing more of his countrymen to study the history and institutions of this remote but interesting land—or even to come and see for themselves how well, with a liberty-loving, law-abiding and God-fearing people, a Constitution whose roots stretch back to the Middle Ages, can co-exist with all the requirements of modern progress—his object will have been attained, and he will consider himself abundantly rewarded.

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I.

HISTORICAL SUMMARY.

(1) Christianity was introduced into Finland by the Swedes, who undertook several crusades with this object in the course of the twelfth and thirteenth centuries. These crusades resulted at the same time in the conquest of the country. The social organisation of the native inhabitants being still very primitive, the country received the laws and institutions of the conquerors together with their religion. However passive the condition of the conquered might be at first, it was not long in changing. In the middle of the fourteenth century the Finnish

provinces were granted the same active rights, concerning legislation and the election of kings, as the Swedish provinces. Any political distinction between Swedes and Finns was abolished. Finland was thenceforward an integral part of the kingdom of Sweden, having the same Constitution, the same civil laws, the same financial system, as other parts of the kingdom, and sharing alike the triumphs and disasters of the Metropolis.

The great majority of the population of Finland were not of the same race as the Swedes. This racial distinction, however, does not seem to have been any obstacle to the growth of political solidarity between the two parts of the kingdom, and the existence of Swedish colonies on the west coast of Finland contributed much to the completion of this solidarity. The racial distinctiveness, however, still remained. The Finns retained their language, which the Swedish Government did not even attempt to suppress, and the cultivation of which was advanced, in consequence of the Reformation, by the translation of the Bible into Finnish, and by the zeal

of the Lutheran clergy for popular education. The material interests of the inhabitants of the country, Finns and Swedes alike, were not always identical with those of Sweden, and the defence of Finland was left more especially to native troops; the geographical situation of the land made its provinces a distinct group, collectively styled, even in official documents, since the end of the sixteenth century, "Grand Duchy of Finland." Here, then, was the germ of a national, independent existence; but the people did not wake to the consciousness of this as long as the intimate association with Sweden lasted.

(2) The founding, on the Neva, of the new capital of the Russian empire by Peter the Great, was the starting-point of the policy pursued by the Russian rulers, with regard to Finland, for a whole century. Conquered in the great northern war, which terminated by the peace of Nystad in 1721, and again in the campaign of 1741-1743, Sweden was obliged to cede to Russia a part of Finland: the province of Viborg.

In 1808 Finland was invaded by Alexander I., whose object was to force Gustavus IV. to adhere to the continental blockade, as well as to complete the conquest of the country. He announced his intentions towards Finland by means of several proclamations, the most remarkable of which is the manifesto of June 5-17, 1808, in which the Emperor declares that, in uniting Finland to Russia, he solemnly guarantees to maintain the laws and liberties of the land. At this time the definite issue of the war was still undecided.

Towards the end of the year all the territory of the Grand Duchy was evacuated by the Swedish and Finnish troops, but hostilities were, nevertheless, continued up to the summer of 1809. The Emperor did not wish to wait for the termination of the war before entering into negotiations with the representatives of Finland, in order to organise his rule in the country. A Finnish deputation, elected by the nobility, the clergy, the burgesses, and the peasantry, on the Emperor's reiterated order, assembled at St. Petersburg, in November,

1808. His Imperial Majesty was desirous of consulting the deputies as to the condition and wants of the land, and the means of alleviating its burdens.

Received by Alexander I. in solemn audience, the deputation presented a memorandum containing a summary of the provisions of the fundamental laws for the formation of a legal Diet, together with a declaration that this deputation, elected and constituted in another manner, was not competent to represent the country nor to deliberate on questions requiring the co-operation of the Estates ; hence it would only be by convoking the Diet that His Majesty could hear the voice of the nation.

The Emperor approved of the opinion expressed by the deputation. By a decree published on <sup>Jan. 20</sup><sub>Feb. 1</sub>, 1809, the Estates of Finland were summoned to assemble on March 22, in the town of Borgo, at a General Diet, conformably with the laws and regulations.

(3) The Emperor was present at the opening of the Diet, and signed, on March 15-27, the very day of his arrival at Borgo, the follow-

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ing declaration to the inhabitants of Finland :—

### FRENCH ORIGINAL.

“Les destinées de la Providence nous ayant fait prendre en possession le Grand Duché de Finlande, Nous avons voulu, par l'acte présent, confirmer et ratifier la Religion et les Lois fondamentales du Pays ainsi que les priviléges et droits, dont chaque classe dans le dit Grand Duché, en particulier, et tous les habitants en général, qu'ils aient une position élevée ou inférieure, ont joui jusqu'ici selon la Constitution. Nous promettons de maintenir tous ces avantages et lois fermes et inébranlables dans leur pleine force.”

### ENGLISH TRANSLATION.

“Providence having placed Us in possession of the Grand Duchy of Finland, We have desired, by the present act, to confirm and ratify the Religion and fundamental Laws of the Land, as well as the privileges and rights, which each class in the said Grand Duchy, in particular, and all the inhabitants in general, be their position high or low, have hitherto enjoyed according to the Constitution. We promise to maintain all these benefits and laws firm and unshaken in their full force.”

Two days later, at a solemn audience held in the cathedral, the Emperor received the homage of the Estates as Grand Duke of Finland. The Estates took the oath of fealty to the new Sovereign, and affirmed, at the same time, the inviolability of the Constitution ; the Emperor's declaration was read aloud, the document was

delivered into the custody of the Marshal of the House of Nobles ; after which a herald of noble birth stood before the throne and proclaimed : “ Vive Alexandre I., Empereur de toutes les Russies et Grand-duc de Finlande ! ”

The ceremony concluded by a speech of the Emperor, in the French language, bearing witness to the sentiments with which he had received the homage and oath of the country’s representatives, and testifying that it was an *act of union* that had just been effected.

(4) The Emperor and Grand Duke submitted to the Diet propositions on the four following questions :

- I. The organisation of the Government of the land, or the institution of a State Council ;
- II. Taxes and Finance ;
- III. Military Organization ;
- IV. Monetary System.

The resolutions and views of the Borgo Diet, concerning these important questions, have exercised a great and salutary influence on the

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administration of the affairs of the young State.

Whilst Finland was only a part of the kingdom of Sweden there were none but local authorities in the country itself. The supreme tribunal and the offices of the central government, established in accordance with the fundamental laws, were at Stockholm. It was now necessary to replace these institutions by analogous ones. This was the object of a Bill concerning the *State Council*, which was to become the centre of the different branches of the administration.

The Estates passed this Bill. The Emperor, in order to give a proof of the confidence he had in the country's representatives, charged them to elect the first members of the Council.

As regards the other matters discussed by the Diet, those concerning *finance* and *taxes* were not the least important. The question was, indeed, not only to provide for the wants of the moment, but to give a sound basis to the financial system of the new State. It was

absolutely necessary to increase the salaries of the public functionaries, and to face the expenditure required for the maintenance of the new organs of Government and administration.

The former taxes were continued, with the exception of some extraordinary imposts from which the Emperor desired to exempt the people; but ameliorations were made in the assessment of the land-tax and the personal taxes. The result was, that the budget was established on a satisfactory basis. Now Alexander I., in making his financial proposals, declared that the revennes of the Grand Duchy should be employed solely for the wants of the country itself—a declaration in every way consonant with the policy adopted by him in regard to Finland—and he thus precluded all possible apprehension as to the independence of the Grand Duchy's budget. The Estates therefore voted a special address in order to express the gratitude of the country for this declaration of His Majesty.

The proposals for *military organisation* did not aim at any change of system; the Emperor

wishing, on the contrary, to retain the former organisation of a national militia (*milice nationale*) maintained by the landed proprietary. The military question, on this occasion, required the consideration of certain economical dispositions, to the almost entire exclusion of all others. But what gave to the above proposal a political importance was that the Emperor expressed in it his positive assurance that there should be no recruiting by force nor military conscription in Finland. Taking into consideration the state of public feeling at the epoch of the assembling of the Diet, this assurance necessarily contributed to strengthen the confidence in the new sovereign's policy. The Estates expressed their gratitude for this, frankly pointing out at the same time the inconvenience that would result from the employment of the national militia out of Finland, or for any other object than that of the defence of the Fatherland.

Concerning the *monetary system*, the Estates resolved to adopt the silver rouble as the monetary unit of the Grand Duchy, and not

to authorise payments in Russian or Swedish paper notes, except at the rate of exchange of these notes. The Diet laid down, at the same time, necessary regulations for the introduction of the new money into the public accounts, as well as into private transactions. It further recommended the founding of a national bank, with the guaranty of the Estates.

(5) The Emperor returned to Borgo for the closing of the Diet, which took place on the 6-18th July of the same year. The following is the speech made by him on this occasion :—

## FRENCH ORIGINAL.

“ En réunissant les États de la Finlande en une Diète générale j'ai voulu connaître les désirs et les sentiments de la nation sur ses véritables intérêts.

“ J'appelai votre attention sur les objets les plus importans à votre prospérité. Me reposant entièrement sur la loyauté de votre caractère, fort d'ailleurs de la pureté de mes intentions, j'ai laissé à vos délibérations une parfaite liberté.

## ENGLISH TRANSLATION.

“ In assembling the Estates of Finland in a General Diet, I desired to ascertain the wishes and sentiments of the nation touching its true interests.

“ I have called your attention to the most important objects to secure your prosperity. Trusting wholly to the loyalty of your character, strong, moreover, in the purity of my intentions, I have allowed you perfect liberty in your deliberations.

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“ Aucune influence, aucunne autorité étrangère à la vôtre n'osa franchir le seuil de ces portes. J'ai veillé sur l'indépendance de vos opinions. Absent, je me trouvai au milieu de vous par les voenx que je ne cessais de faire pour le succès de vos travaux.

“ Les avis que vous venez d'émettre portent le caractère de la sagesse et de l'amour de la patrie. Je les prendrai en considération dans l'œuvre importante que je médite pour votre prospérité.

“ Vos travaux cessent dès ce moment. Mais en vous séparant, vous avez des devoirs essentiels à remplir.

“ Portez dans le sein de vos provinces, imprimez dans l'esprit de vos compatriotes la même confiance qui a présidé ici à vos délibérations. Inspirez-leur la même assurance sur les objets les plus importans à votre existence politique, le maintien de vos lois, la sûreté personnelle, le respect inviolable de vos propriétés.

“ No extraneous influence nor authority has dared to cross the threshold of these portals. I have kept watch over the independence of your opinions. Absent, I was ever in your midst by the prayers that I never ceased to offer up for the success of your labours.

“ The opinions to which you have just given utterance bear the stamp of wisdom and of love for fatherland. I shall take them into consideration in the important work that I am contemplating for your prosperity.

“ Your labours cease from this moment. But in separating, you have essential duties to perform.

“ Carry into the distant parts of your provinces, impress on the minds of your compatriots, that same confidence which has presided over your deliberations here. Inspire them with the same assurance concerning the most important objects of your political existence, the maintenance of your laws, the security of your persons, and the inviolability of your property.

“Ce peuple brave et loyal bénira la Providence qui a amené l’ordre de choses actuel. Placé désormais au rang des nations, sous l’empire de ses lois, il ne se ressouviendra de la domination passée que pour cultiver des rapports d’amitié lorsqu’ils seront rétablis par la paix.

“Et moi, j’aurai recueilli le plus grand fruit de mes soins quand je verrai cette nation tranquille au dehors, libre dans l’intérieur, se livrant sous la protection des lois et des bonnes moeurs à l’agriculture et à l’industrie, par le fait même de sa prospérité, rendre justice à mes intentions et bénir ses destinés.”

“This brave and loyal people will be grateful to that Providence which has brought about the present state of affairs. Placed from this time forward in the rank of nations, governed by its own laws, it will only call to mind its former rulers in order to cultivate friendly relations when these shall have been re-established by peace.

“And I, I shall have reaped the best result for my solicitude when I see this nation, externally tranquil, internally free, devoting itself to agriculture and industry under the protection of its laws and of its good customs and manners, and thus, by the very fact of its prosperity, doing justice to my intentions and blessing its lot.”

(6) Thus was Finland’s new destiny inaugurated.

The conqueror found himself in the presence of a people firmly attached to their political institutions and their civil laws, the liberal principles of which had taken root in the minds

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and habits of the citizens. To have employed physical force in order to incorporate this country with Russia would not have accorded with the Emperor's personal views, nor have conduced to the immediate pacification which the political interests of the empire necessitated. Hence Alexander preferred "an act of union." He confirmed the old Constitution, and summoned the representatives of the nation, so as to establish, conjointly with them, the new state of things.

The Finlanders, foreseeing the final issue of the war and the impossibility of a return to the past, could not hesitate to meet half-way the proposals of the Emperor Alexander, who had given them, as a security for the future, the most formal assurance to maintain the former Constitution. In Sweden the King had been dethroned; the Swedish Government had no more power over Finland; the Finnish Estates, elected and assembled according to law, could alone at this moment represent with perfect right the Finnish people. Hence the authority they made use of in binding the

inhabitants of the country by the oath taken to the new sovereign, on the basis of the Constitution confirmed by him, was acknowledged both by the Emperor and the people. The Emperor expressed this in his manifesto “to all the inhabitants of Finland,” published at Borgo, <sup>March 23</sup> ~~April 4~~, 1809; no protest was heard in the country.

The union thus established has been clearly defined by the Emperor, not only in the above-mentioned speeches of March 29th and July 18th, 1809, but also on other occasions, for example, in the edict of the 15-27th March, 1810, concerning the militia, and from which we give here the introduction:—

“ His Imperial Majesty’s Gracious Manifesto.

“ From the moment that, through the Will of Providence, Finland’s destiny was entrusted to Us, it has been Our aim to rule that Land in conformity with the liberties of the Nation and the rights assured to it by its Constitution.

“ The proofs of devotion the Inhabitants have given Us since the Oath of Fealty, which they

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tendered to Us of their perfect free will, through their Representatives assembled at the Diet, have only conduced to strengthen Us in that purpose.

“ All the steps we have hitherto taken, with regard to the internal administration of the Country, are simply a consequence of and an addition to that fundamental idea. The maintenance of the Religion and the Laws, the summoning of the Estates to a General Diet, the formation of a State Council in the Nation’s midst, and the inviolability of the judicial and administrative authority, afford sufficient proofs to assure the Finnish Nation (Finska Nationen) of its political existence and the rights appertaining thereto.”\*

(7) The stipulations of the Treaty of Peace, signed between Russia and Sweden at Fredrikshamn the 5-17th September, 1809, and ratified at St. Petersburg the 1-13th October, did not touch the political situation of the

\* In order to avoid the inconvenience of translating from a *translation* we have thought it better to render this important document from the original Swedish.—C. J. C.

Grand Duchy, already settled by the Borgo Acts. Mention was simply made in Clause VI. of the Treaty of this *fait accompli*, it being added that the King of Sweden considered himself, by this very fact, freed from the obligation, otherwise sacred, of making favourable conditions in this respect for his former subjects. The Treaty of Peace settles, in the first place, certain questions with reference to the general politics of this epoch, and especially stipulates for the adhesion of the King of Sweden to the continental blockade; then the cession of Finnish territory to the Emperor of Russia and the demarcation of the frontier; lastly, the interests of some private individuals, Swedes and Finns, as also the future commercial relations between Finland and Sweden, &c., &c.

The line of frontier between Russia and Finland remained at first as it had been fixed in 1743 between Russia and Sweden. But the Emperor Alexander I. having considered it advantageous to restore to Finland its unity, reunited the province of Viborg to the Grand Duchy (*vide* p. 3) by the decree of December

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23rd, 1811. The frontier then established remains so still, excepting a modification which took place in 1864.

(8) After the closing of the Borgo Diet, the Emperor lost no time in organising the Government. The statutes of the State Council were sanctioned and promulgated on the 6-18th August, 1809. On the same day the members of the Council, elected by the Diet, were appointed to their functions. The Council sat first at Abo, the former chief town of the country. But Helsingfors having been declared the capital of the Grand Duchy, the State Council removed thither in 1819.

In virtue of the statute of 1809 the Governor-General was to preside at the Council. Besides this, the powers of this high functionary were the object of special instructions, issued in 1812, at the same time as those relating to the Procurator-General of the country.

The organisation of the Government institutions was completed by the formation at St. Petersburg in 1811 of a Committee for Finnish Affairs. Questions reserved for the Emperor's

decision were to be reported to him, in the presence of the chairman of the committee, by a Secretary of State forming one of the committee. The committee of 1811 was abolished by an ukaz of 1826, and it was decided that the Secretary of State, afterwards styled Minister-Secretary of State, should make his reports to the Emperor unattended. In 1857 the Committee for Finnish Affairs was re-established, but with a partially-modified organisation.

The statutes of 1809 relating to the State Council have, in the course of time, been subjected to many modifications, but the essential provisions of this law are still in force. Later on we will give detailed particulars of the same. It is only right, however, that we should here mention the decree of February 21, 1816, in which the Emperor declares that, it being his intention to disclose the idea which had led to the establishment of a State Council, as well as the immediate relations of the Council with the person of the Sovereign, he has determined that the Council shall henceforth be designated, as the supreme authority of the

empire, *Imperial Senate* of Finland, without there being any change in the organisation of the Council, and still less in the Constitution of the country, the validity of which Constitution had been recognised by the Emperor in perpetuity, both for himself and for his successors.

(9) The Diet was not convoked again by Alexander I. nor during the reign of the Emperor Nicholas. It is true that the periodicity of the Diets had not been fixed by the fundamental laws which the Emperor Alexander had confirmed. But the co-operation of the Estates being indispensable for all reforms of laws and taxes, the prolonged stoppage of the legislative machinery necessarily impeded the development of the country. Hence it was acknowledged, in certain official acts in the first part of this period, that the convocation of the Diet would have been desirable and would have taken place had not the political pre-occupations of the empire prevented it.

Meantime the Government essayed to realise as much progress as was possible, in spite of the stoppage of legislative labour—sometimes

even by encroaching on the functions of the Diet. But constitutional traditions were not effaced from the popular mind; and respect for law, one of the bulwarks of a constitutional form of government, has been maintained among the people, and has never ceased to inspire the acts of the public functionaries.

(10) Shortly after the accession to the throne of Alexander II., the convocation of the Diet, loudly called for by patriotic voices, was admitted to be indispensable. Already, in 1859, the Government felt the necessity of having recourse to the national representation, both for financial measures and for the revision of the civil and criminal laws. The Senate had to ascertain which were the legislative questions most in need of a speedy solution, and it reported accordingly to the Emperor. The elaboration of these numerous projects required, however, much time. On June 18th, 1863, the Emperor and Grand Duke's decree appeared, to the great joy of the nation, convoking the Estates in a General Diet at Helsingfors on September 15th of the same year.

Alexander II. arrived at Helsingfors for the solemn opening of the Diet, which took place on September 18th, and on which occasion he made the following speech in the French language :

## FRENCH ORIGINAL.

“ Représentants du Grand-Duché de Finlande.

“ En vous voyant réunis autour de Moi, Je suis heureux d'avoir pu accomplir Mes voeux et vos espérances.

“ Mon attention s'est dès longtemps portée sur un certain nombre de questions successivement soulevées et qui touchent aux intérêts les plus sérieux du pays. Elles sont restées en suspens vu que leur solution demandoit la co-opération des États. Des considérations majeures, dont l'appréciation M'est réservée, ne M'avoient pas permis de rénnier les représentants des quatre ordres du Grand-Duché durant les premières années de Mon règne. Néanmoins, J'ai pris à temps des mesures préparatoires pour ar-

## ENGLISH TRANSLATION.

“ Representatives of the Grand Duchy of Finland.

“ In seeing you assembled around Me, I am glad to have been able to fulfil My desire and your hopes.

“ My attention has long been directed to a certain number of questions successively raised, which concern the most serious interests of your country. These questions have remained in suspense because their solution required the co-operation of the Estates. Certain important considerations, the appreciation of which is reserved for Me, prevented Me from convening the representatives of the four orders of the Grand Duchy during the first years of My reign. Nevertheless I took in good time some

river à ce but, et aujourd'hui que les circonstances ne sont plus de nature à motiver un plus long ajournement, Je vous ai convoqué afin de vous faire part, après avoir préalablement entendu Mon Sénat de Finlande, des projets de loi et de quelques affaires administratives, dont vous aurez à vous occuper durant la session actuelle. Considérant leur gravité, Je les ai d'abord fait examiner par une commission, composée de personnes investies de la confiance de la nation. La publicité accordée aux débats de cette commission vous a fait connaître d'avance l'objet de vos délibérations et vous avez été à même d'approfondir ces projets de loi en consultant les opinions et les besoins du pays. Malgré leur nombre et leur importance il vous sera en conséquence possible d'en terminer l'examen définitif dans le délai fixe par la loi.

“ L'exposé financier qui vous

preparatory steps to attain this object, and now that circumstances are no longer of a nature to cause a further postponement, I have convened you in order to lay before you, after having previously heard the report of My Senate of Finland, the projected measures and administrative business which will require your attention in the course of the present session. Considering their importance, I have had them examined first by a committee composed of men enjoying the confidence of the nation. The publicity given to the debates of this committee has acquainted you beforehand with the object of your deliberations, and you have been enabled to thoroughly examine these projected measures by consulting the opinions and the wants of the country. Consequently, in spite of their number and importance, it will be possible for you to complete a thorough investigation of them in the period fixed by law.

“ The financial statement

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sera communiqué, vous prouvera que les revenus de l'État ont toujours suffi pour couvrir les dépenses courantes et que l'accroissement considérable des impôts indirects, témoignage de la prospérité publique, a permis d'appliquer des ressources plus étendues au développement matériel et moral du pays.

“ J'ai autorisé le Gouvernement du Grand-Duché à contracter des emprunts uniquement pour faire face au besoins de la dernière guerre et pour couvrir les frais de construction du chemin de fer entre Helsingfors et Tavastehns.

“ Le compte rendu de l'emploi de ces emprunts, qui vous sera également communiqué, vous fera voir que les revenus actuels de l'État suffisent pour amortir cette dette avec ses intérêts. Mon désir est toutefois qu'à l'avenir aucun nouvel emprunt ne soit fait sans la participation des États du Grand-Duché, à moins qu'une invasion inopinée de l'ennemi ou quelque autre malheur public imprévu ne nous en fasse une nécessité.

which will be communicated to you, will show that the revenues of the State have always sufficed to cover the current expenditure, and that a considerable increase from the indirect taxes, a proof of the national prosperity, has made it possible to apply these additional resources to the material and intellectual development of the country.

“ I have authorised the Government of the Grand Duchy to contract loans solely in order to meet the requirements of the last war, and to cover the expense of constructing the railway between Helsingfors and Tavastehus.

“ An account of the use made of these loans will likewise be communicated to you, and will show that the present revenue of the State is sufficient to gradually pay off this debt with its interest. It is my wish, however, that for the future no new loan be raised without the concurrence of the Estates of the Grand Duchy, unless an unexpected invasion by an enemy or some other unforeseen national calamity should make it a necessity for Us.

“ Les nouvelles contributions que je fais proposer à la Diète tendent à réaliser différentes mesures destinées à augmenter le bien-être du pays et à faire prospérer l'enseignement du peuple. C'est à vous de décider de l'urgence et de l'étendue de ces mesures.

“ Plusieurs des stipulations des lois fondamentales du Grand-Duché ne sont plus applicables à l'état des choses survenu depuis sa réunion à l'Empire ; d'autres manquent de clarté et de précision. Déssirant remédier à ces imperfections, Mon intention est de faire élaborer un projet de loi qui contiendra des explications et des suppléments à ces stipulations pour être soumis à l'examen des États lors de la prochaine Diète, que je pense convoquer dans trois ans. En maintenant le principe Monarchique Constitutionnel inhérent aux moeurs du peuple Finlandois et dont toutes ses lois et ses institutions portent le caractère, Je veux faire admettre dans ce projet un droit plus étendu que celui que possèdent déjà

“ The new taxes that I propose to the Diet are designed to carry out different measures destined to augment the welfare of the country, and to advance the cause of popular education. You have to decide as to the urgency and extent of these measures.

“ Many provisions of the fundamental laws of the Grand Duchy are no longer applicable to the state of affairs existing since its union with the Empire; others lack clearness and precision. Desirous of remedying these imperfections, it is My intention to have a measure carefully prepared which shall contain explanatory and supplemental provisions. These will be submitted to the consideration of the Estates at the next Diet, which I purpose convoking three years hence. Whilst maintaining the principle of a Constitutional Monarchy agreeably to the ancient customs of the Finnish people, and of which principle all their laws and institutions bear the impress, I wish to include in this projected mea-

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les États quant au règlement de l'assiette des impôts, ainsi que le droit de motion qu'ils ont anciennement, possédé, Me réservant toutefois celui de prendre l'initiative dans toutes les questions qui touchent au changement de la loi fondamentale.

“ Vous connaissez Mes sentiments et Mes voeux pour le bonheur et la prospérité des peuples confiés à Ma sollicitude. Aucun de Mes actes n'a pu troubler l'entente qui doit régner entre le souverain et la nation. Je désire que cette entente continue à être, comme par le passé, le gage des bons rapports qui M'unissent au brave et loyal peuple Finlandois. Elle contribuera puissamment à la prospérité d'un pays bien cher à Mon cœur et Me fournira un nouveau motif pour vous rassembler périodiquement.

“ C'est à vous, Représentants du Grand Duché, de prouver, par la dignité, la modération

sure a more extended right than that which the Estates now possess as to the adjustment of taxation, as also the right of motion which they formerly possessed, reserving to Myself, however, the initiative in all questions which affect the alteration of the fundamental laws.

“ You know My sentiments and My wishes for the happiness and prosperity of the peoples entrusted to My charge. None of My acts has been such as to interfere with the good understanding that ought to exist between the sovereign and the nation. I desire that this understanding may continue, as of yore, to be a guarantee of the good relations which unite Me to the brave and loyal Finnish people. It will contribute powerfully to the prosperity of a country very dear to My heart, and will supply Me with a new motive for assembling you periodically.

“ It is for you, the Representatives of the Grand Duchy, to prove, by the dignity, the

et le calme de vos discussions, qu'entre les mains d'un peuple sage, décidé à travailler, d'accord avec le souverain, dans un esprit pratique au développement de son bien-être, les institutions libérales, loin d'être un danger, deviennent une garantie d'ordre et de prospérité.

“Je déclare ouverte la présente Diète.”

moderation, and the calmness of your discussions, that in the hands of a wise and well-conducted people, determined to work, hand in hand with the Sovereign, in a practical manner for the development of its well-being, liberal institutions, far from being a danger, become a guarantee of order and prosperity.

“I declare the present Diet open.”

The Diet of 1863-1864, inaugurated by this memorable speech, has marked a new era in the constitutional history of the Grand Duchy. The periodical convocation of the Diet was assured by a law promulgated in 1869, after having been approved by the Estates in the Session of 1867. The Estates assembled again in 1872, 1877, 1882 and 1885. All these Diets have been fertile in legislative works, as also in financial and economical measures. Government and the Diet have done their utmost to grapple with the work accumulated since 1809.\*

\* Those who desire to see an account of the legislative activity of the Finnish Diet are referred to Professor Montgomery's pamphlet, in the French language, entitled “*Notice sur les travaux législatifs de la diète du grand duché de Finlande*” (1863-1879), published at Paris in 1881 by Arnous de Rivière, Rue Racine 16.—(Author's note.)

## II.

### THE LEGISLATIVE SOURCES OF THE PUBLIC LAW.

(11) The Constitution of the Grand Duchy is mainly based on the following fundamental laws :—

That of the “Form of Government” (Regerings-formen) of August 21, 1772, partly modified by the “Act of Union and Security” (Förenings och säkerhetsakten) of February 21 and April 3, 1789; and

“The law on the Diet” (Landtdagsordningen) of April 15, 1869; to this latter must be added, by way of appendix, the Statutes of the Order of Nobles, dated April 21, 1869.

To this group, likewise, belong some legislative decrees amending certain articles in the

above-cited laws, *e.g.*, the Ordinance of March 20, 1879, which has extended the electoral franchise and eligibility amongst the burgesses, and the law of July 16, 1886, according to which the Estates will possess for the future the right of initiative in legislation, in common with the Emperor and Grand Duke.

The statute of the State Council (Senate) of August 18, 1809, is of a mixed nature. The principal provisions of this enactment appertain to the Constitution, but it also includes several minor administrative regulations.

Among the general sources of the constitutional law must be enumerated the Act passed by Alexander I. and the Estates of Finland at the opening of the Borgo Diet, of which mention has already been made.—(*Vide* Section 3, pages 5 and 6).\*

\* The “King’s Chapter” (*Kounngabalken*) of the “Code of the Land” (*Landslagen*) of 1442, being cited in § 2 of the law of 1772, on the Form of Government, has also a place amid the constitutional acts. The Code of 1442 did not comprise the penal and civil laws only, but the Constitution of that time as well, written in the “King’s Chapter.” The other parts of the Code of 1442 have been replaced by that of 1734: but the “Kounngabalken” is still quoted in the constitutional

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Another group of the sources of constitutional law is formed by the special enactments touching the privileges of the four orders, particularly—

The privileges of the order of the nobility of 1723;

The privileges of the clergy of 1723;

The confirmation of the rights of the burgesses and of towns of 1789;

The confirmation of the rights of peasants and the law on the rights of proprietors of non-privileged lands of 1789.

These special enactments have been considerably modified by various ordinances made more particularly since 1863.

(12) The laws comprising the *administrative right* are also in two distinct groups:

acts of the eighteenth century. It is in order to avoid breaking the chain of historical development that people were reminded, by these citations, of the principles expressed in the dispositions of the law of 1442 concerning the relations between the monarchical power and the people. There are besides, in the text of 1442, some regulations which have neither been abolished, nor replaced by subsequent dispositions.—It is worthy of remark, then, that the interpretation of the fundamental laws of Finland, which have their roots in the past, must of necessity be based on the study of historical sources.—(*Author's note.*)

The laws established with the co-operation of the Diet, amongst which we will mention those on communal administration of 1865 and 1873, the Lutheran Church Code of 1869, the Law on Military Service of 1878, the Statutes of the Bank of Finland of 1867 and 1885, and the Orders, Regulations, Statutes, and Instructions emanating solely from the Government, and regulating the working of the public services, as well as the execution of the laws.

### III.

#### THE EMPEROR AND GRAND DUKE.

(13) The Emperor of Russia is Grand Duke of Finland ; the throne of the Grand Duchy is indissolubly united to the throne of the Empire.\*

Consequently the order of succession to the throne of Finland is the same as that which has been established by the Imperial laws for the succession to the throne of Russia.

The Emperor, on his accession to the throne, publishes, as Grand Duke of Finland, a mani-

\* In par. IV. of the Russian Code of Fundamental Laws, we find the law relating to the union of Finland with Russia. It runs as follows : “ From the Imperial throne of All the Russias are inseparable—the throne of the kingdom of Poland and that of the Grand Duchy of Finland.”—(*Author’s note.*)

festo embodying his promise to maintain the inviolability of the fundamental laws. At the same time he issnes a decree ordering the inhabitants to take the oath of fealty to the Sovereign.

(14) The political organisation of the Grand Duchy is that of a Constitutional Monarchy.

The authority to rule the country belongs to the Emperor and Grand Duke—"to Him and to no other."

This authority is limited by the statutes ; it is exercised in the manner established by the fundamental laws.

It is incumbent on the Emperor and Grand Duke to uphold and execute the laws of the State.\*

\* Here is the text of which we have given a résumé above (par. 2 of the law on the form of government) :

The Emperor and Grand Duke " has the right to govern the State, as the law directs, He and no other ; he must uphold, love, and maintain justice and truth ; but prohibit, avert, and suppress violence and injustice ; must wrong no man whether in his life, his honour, his personal liberty or his interests, without his being legally convicted and condemned ; neither deprive anyone nor allow anyone to be deprived of his personal or real estate, without examination and trial in the order prescribed by the statutes ; and rule the country according to the King's Chapter of the code of the land, and the present law on the form of government."—(*Author's note.*)

The judicial authority in the last instance is exercised in His Majesty's name.

The Emperor and Grand Duke has the right, in criminal matters, to pardon, to commute the penalty of death, to pronounce the rehabilitation of and to return forfeited property.

The Emperor and Grand Duke commands the military forces, provides for the defence of the country, declares war, concludes treaties of peace, of alliance, and so forth.

The Emperor and Grand Duke appoints to the higher offices of State.

He has the right of conferring titles on persons who have particularly well merited of the Sovereign or of the country ; he may also raise nobles to the rank of baron or count.

By means of naturalisation, the Emperor may grant to foreigners and Russian subjects the status of Finnish citizens.

We will notice later on the manner in which the above-mentioned prerogatives and privileges of the executive, a part of which has been delegated to the Finnish Senate, are exercised.

(15) Legislative power is exercised conjointly

by the Emperor and Grand Duke and the Diet of the country.

This authority, as well as the fiscal powers of the Emperor and Grand Duke and of the Diet respectively, will be the subject of special chapters.

## IV.

### THE ORGANS OF GOVERNMENT.

(16) The Emperor is assisted in the work of governing Finland by the Senate, the Governor-General, and the Secretary of State's Office.

#### *Organisation of the Imperial Senate of Finland.*

(17) The Senate is composed of two Departments—that of Justice, which is the supreme tribunal, and the Administrative Department, which manages the general administration of the country.

The two departments, united, form the “Plenum” of the Senate. The Governor-

General presides both over the Plenum and over each of the departments,\* which is composed of ten members, including a Vice-President.

The Administrative Department comprises the six following sections—home affairs, finance, control, military matters, public worship and instruction, agriculture and public works.

Each of these sections has a senator at its head, besides which, two senators are deputy-heads of the home affairs and finance sections; the Vice-President and one of the members of the Administrative Department have no portfolios.

The Plenum of the Senate is composed of the President and all the senators, or, according to the nature and importance of the business in hand, of four senators from each department, besides the President.

In the absence of the Governor-General, one of the Vice-Presidents takes the chair; in the

\* In practice, however, the Governor-General is rarely present, as he is seldom able to follow the debates, which are conducted in Swedish.—(*Translator's note.*)

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departments, the oldest senator present presides at the Plenum.

The senators are appointed by the Emperor for a period of three years, at the expiration of which their appointment may be renewed. All the senators of the Department of Justice, and at least two of the members of the Administrative Department, ought to be competent to discharge the functions of a judge.

All matters to be discussed are reported upon by referendary-secretaries, except financial questions, the report of which is entrusted to the controllers of the financial departments of the Senate. The referendary-secretaries and the controllers are appointed by the Emperor.

All cases are decided by a majority of votes, the President having a casting-vote should there be an equal division.

In the sections of the Administrative Department the head senator alone, or his deputy, decides as to the resolutions to be taken on the report of the referendary-secretary, or of the controller.

The Procurator-General has the right of

being present at the sittings of the Senate, without however voting or taking part in the deliberations. He is appointed by the Emperor, as is also his deputy and assistant.

The Senate has a permanent committee for the preparation of projected measures, working under the guidance of a senator, appointed by the Senate, for each legislative measure with which the committee is charged. The Plenum of the Senate appoints the members of the committee for a period of three years.

*Functions of the Plenum of the Senate.*

(18) The Senate, all its members being present—

Prepares the Bills and the other measures which the Emperor and Grand Duke will submit to the Diet;

Gives the Emperor its opinion on resolutions and petitions of the Diet;

Receives and promulgates laws sanctioned by the Emperor, as also His Majesty's manifestos.

A Plenum of eight members—

Decides questions of dispensation from the law ;

Determines on various matters connected with the administration of justice ;

Settles questions as to competency of authority which have arisen in the Senate itself ;

Gives its conclusions on international affairs which are not within the jurisdiction of the Administrative Department ;

Prepares for submission to the Emperor and Grand Duke projected ordinances and regulations, particularly those relating to the administration of justice, or to the general rights and duties of public functionaries ; the most important, however, of these legislative matters are dealt with by the Plenum of all the senators.

In certain matters, determined by law, the Plenum is authorised to make regulations without submitting the same for the Emperor's sanction.

*The Functions of the Department of Justice.*

(19) The Department of Justice has to see that justice is administered in the country according to law.

It is the tribunal, in the last instance, which tries civil and criminal cases that are the subject of an appeal to the Sovereign, after being adjudged by a court of appeal, or by a special tribunal for the distribution of land, or even by a higher military tribunal ; sentences of death, however, before being put into execution, are submitted to the Emperor for ratification.

The department examines appeals for pardon, which, if the grounds for the same are good, are submitted to the Emperor ; otherwise they are refused. But in cases of condemnation to death, the appeal for mercy must always be referred to the decision of the Emperor.\*

The department is also authorised to pardon persons sentenced to fine or imprisonment for misdemeanours, as well as to commute or

\* The sentence of death has never been carried out since 1826.—(Author's note.)

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modify certain sentences imposed by the courts of appeal.

The department presents for the Emperor's selection candidates for the offices of burgomaster, of judges in the first instance, and of members of the courts of appeal; it also appoints to the offices of secretary and procurator of the courts of appeal.

### *Functions of the Administrative Department and its sections.*

(20) Every case to be submitted to the Administrative Department passes first through one of the sections.

*The section for home affairs* has charge of all matters affecting public safety and public health, the postal and telegraph services, printing and booksellers' establishments, prisons, public institutions (the management of which is not otherwise provided for), official statistics, the naturalisation of foreigners, pensions to civil servants, provincial and parochial administration and their relations with the Government authorities, also certain international questions.

To the *financial section* are allotted such

affairs as concern the establishment of the general budget, the administration of the treasury, public credit, the customs, the excise, stamps, and other taxes (except that on land), pilotage, lighthouses and hydrographic works, banks, commerce, navigation, and commercial industries.\*

To the *control section* belong matters relative to the land tax system, to the levying of taxes, to the public accounts and to financial control; to geodesy and to the government lands and fisheries.

The *military section* is responsible for the preparation of the military budget, and for the accounts in connection therewith, and it determines all questions as to the management of the troops and military establishments. It has also to see to the application of the law for compulsory military service.

*The section of public worship and instruction*

\* Since October, 1888, part of the business of the *section for home affairs* has been transferred to the recently instituted "*chancery section*," and a new "*section of commerce and industry*" has taken over much of the work formerly assigned to the *financial section*.—(Translator's note.)

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controls not only the affairs of the Lutheran Church, but also questions concerning other religious denominations ; public instruction, with the exception of professional schools and the fine arts and sciences, is also under its control ; the University, however, enjoys an autonomy of which mention will be made later on.

*The section of agriculture* controls all business in connexion with agriculture and rural economy, forestry, drainage works, railways, canals, and other public works.

In general it is the function of the sections to prepare matters for the consideration of the Administrative Department ; to watch over and control the actions of the officials and public servants under their orders ; to take the initiative in measures of public utility, and to submit to the department projects for carrying these measures into effect.

Nevertheless, the sections are authorised to decide, without reference to the department, a number of questions of small importance determined by the regulations of the Senate. It is worthy of remark, too, that the sections report,

by means of periodical digests, the progress of business in their respective provinces; these digests are presented to the Senate, and are distributed among the members of the Diet. The head senators and the deputy-heads of the sections make tours of inspection through the country.

As regards the authority of the Administrative Department, its action depends on the character of the matters which are dealt with. Those of a nature to require the Sovereign's decision take the form of projects or resolutions, which the department submits to His Majesty. Such are: measures of reform in the administrative organisation, the creation of new offices, the fixing of the budget and every financial proposal lying outside the estimates already settled, appointments to the higher offices of State, the naturalisation of foreigners, legislative acts in the province of the administration, which do not require the co-operation of the Diet nor appertain to the Plenum of the Senate.

The Administrative Department advises on projects of international conventions upon economical matters.

But most matters are definitely and finally decided by this department of the Senate, as the supreme authority for the administration of the country. According to the statute of 1809, the authority of the Senate is in general limited by the laws, the budgets, and the ordinances of the Emperor; it is an executive power in the strict sense of the word. But, in course of time, the authority of the Senate, and especially that of the Administrative Department, has been considerably extended. Thus the department is authorised :—

To control by instructions or statutes the functions of subordinate authorities and the administration of Government property;

To determine rates and charges and to make regulations and bye-laws for the management of railways and canals;

To appoint to public offices of a rank below the 7th class;

To grant remissions in custom-house cases;

To decrease or increase the number of officials in the custom-house and at the pilot stations and lighthouses;

To sanction the organisation of associations, public companies, corporations, &c.

By the decrees of June 2, 1826, of November 28, 1859, of April 20, 1863, and more especially by that of January 15, 1883, the Emperor and Grand Duke delegated to the Senate the right of deciding upon many matters hitherto reserved for the consideration of the Sovereign.

It must be added, that the Administrative Department has also a contentious jurisdiction, in the last instance, concerning all affairs of public administration.

*General Observations.*

(21) We have already stated, in reference to the functions of the Plenum of the Senate, that it promulgates the laws. In the same way, all the legislative acts that have not required the co-operation of the Diet are promulgated by the Senate, either in Plenum or in the Administrative Department.

The duty of executing, or of causing to be executed, the decisions and commands of the Emperor and Grand Duke, is also imposed on the Senate.

His Majesty's decision is always expressly cited by the Senate when it has been given, whether it refers to the promulgation of a legislative act or merely to an administrative measure. But for the decisions of the Senate in its judicial capacity, as well as for its decisions given in virtue of the power which the Sovereign has delegated to it, the formula "in the name of His Majesty" is always used. Hence we see that the Senate has three functions: that of a Council of the Sovereign, submitting views and projects for legislative reform; that of the authority exercising the powers of government; and that of a supreme tribunal of justice. But does not this organisation depart from the generally-recognised principle of separating judicial and administrative functions? Taking into consideration that the very essence of this principle is, that the administrative body should not be allowed to interfere with the functions of the judicial body, and that the Department of Justice of the Finnish Senate exercises its functions of a supreme tribunal quite independently of and separately from the

Administrative Department—a negative reply to the question put above will be sufficiently justified. In looking at the organisation of the Senate from another point of view, it must be admitted that the co-operation of the leading juriseconsults in the preparation of projected legislative measures and in matters relating to the administration of justice cannot be without utility for the country.\*

Ministerial responsibility is not a part of the constitutional institutions of Finland. Consequently, by interpretation, *ex analogia*, of the law of 1772 on the Form of Government, senators may not be impeached otherwise than by order of the Emperor and Grand Duke, and the trial must be before a special “State Tribunal,” composed of high functionaries. But the provisions of the law of 1772 as to the composition of this tribunal cannot now be applied in practice without being modified.

\* The organisation of the Finnish Senate, so different from the contemporary institutions of most States, has its origin in the old Swedish State Council (*Riksrådet*), as it was framed from 1632 to 1789. It, too, comprised a section for the exercise of the judicial power in the last instance.—(*Author's note.*)

Since 1809, however, no incident has called the attention of the legislator to the want of this provision.

*The Governor-General.*

(22) The Governor-General being in the first place President of the Senate, has his share of its functions. The President's Office is—

To receive the Emperor's rescripts, and to deliver them to the Senate;

To accept the reports of the Senate addressed to His Majesty, and to forward them to the office of the Finnish Secretary of State;

To supervise the progress of the work of the Senate, in order to see that the laws are observed and the Emperor's orders executed, for which purpose the Governor-General not only receives all the reports of the referendary-secretaries on the business in hand, but also, for each half-yearly period, full accounts of the matters discussed and the resolutions come to by the Senate, as well as financial accounts.

In cases where the Governor-General is not in agreement with the Senate upon questions to be submitted to the Emperor, he has the right to append his own opinion to the reports of the Senate. The Governor-General is likewise the head of the executive authorities. As such, it is his duty to provide for the public safety, to see that the orders of Government are strictly observed, and that the legal rights of the inhabitants of the country are respected. He superintends the acts of the police and other public functionaries charged with executive measures. In these matters he prescribes, in conjunction with the Administrative Department of the Senate, or even directly, in case of urgency, the steps to be taken by the governors of provinces; when, however, a direct order is given, the Administrative Department must be informed of the same, so that there may be no conflicting orders.

The Governor-General is expected to travel about the country from time to time, to inspect public establishments and report on the same to the Emperor.

He must acquaint himself with the state of agriculture, commerce, and industry, and participate in measures conducive to the development of these sources of prosperity.

He presents to the Emperor public functionaries and other persons who, by their distinguished services or useful work, have merited reward. The senators, the procurator, and the governors of provinces are appointed on the nomination of the Governor-General.

The chancery of the Governor-General is charged with his correspondence, except as regards purely military matters. The director of the chancery prepares questions, and reports upon them to the Governor-General.

The Governor-General commands both the Finnish and Russian troops in the country. With regard to his functions as Commander-in-Chief of the Finnish army, mention will be made of them in speaking of the military organisation.

The place of the Governor-General is filled, in case of illness or absence, by the *Deputy Governor-General*. This office, which existed in

former times, was re-established by a decree of 1885.

*The Procurator-General.*

(23) The procurator has to see that the laws are observed by public officials, so that no citizen, whatever his station in life, be deprived of his rights. Being thus the coadjutor of the Governor-General, it is from him that the procurator receives his orders.

The procurator must be present at the sittings of the Senate, as often as his other occupations allow.\* By this means, as also by the reading of the *procès-verbal*, or pleadings in judicial matters, he ascertains that the rules of procedure have been observed.

“Should it happen that the Governor-General or the Senate, in the exercise of their functions, transgress the laws, it is the procurator’s duty to remonstrate, showing, at the same time, in what the transgression consists; and should no heed be given to his remonstrances he must

\* In practice the procurator is present at all the sittings of the Senate’s Plenum and at the reading of the *procès-verbal* in the Department of Justice.—(Author’s note.)

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make a detailed report of the matter to the Emperor and Grand Duke."

The procurator is the chief of the public prosecutors of the country. He institutes, or causes to be instituted, proceedings against Government officials, either for causes assigned by the Senate or Governor-General, or on his own responsibility, or upon complaints addressed to him by private individuals.

He must give attention to the proceedings of the tribunals and the treatment of prisoners in the prisons, receive reports on these subjects, and make tours of inspection and control.

Every time the Diet assembles, the procurator remits to the Estates a report on the administration of justice and the application of the laws during the period which has elapsed since the last Diet.

### *The Office of the Secretary of State for Finland.*

(24) For the conduct of business requiring the decision of the Emperor and Grand Duke there is at St. Petersburg a Secretary of State's office for the Grand-Duchy, composed of the

*Minister-Secretary of State*, of his assistant (both appointed by the Emperor), and of His Majesty's chancery for Finnish affairs.

The Minister-Secretary of State reports to the Emperor all matters, except such as are exclusively military, submitted for His Majesty's consideration by the Senate and the Governor-General. For this purpose a short statement of the case is made in Russian, together with the opinion of the Senate and of the Governor-General; but in very important matters the statement of the Senate and the views of the Governor-General, should he differ from it, must be submitted to the Emperor in a full translation.

The Minister-Secretary of State has the right, before making his report, to ask, through the Governor-General, for such further information as he may consider necessary.

According to the statute of 1826, the Emperor's decisions are expressed, either in rescripts, signed by him and countersigned always by the Minister-Secretary of State (the original documents being forwarded to the Governor-General), or by annotations in

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the margin of the report. In this latter case His Majesty's decision is communicated to the Governor General in a letter of the Minister, who is responsible for the conformity of this despatch with the wish of the Sovereign.

All documents forwarded to the Senate are to be in both the Russian and Swedish languages. The first secretaries of the two sections of the chancery are responsible for the conformity of the texts.

The Minister-Secretary of State is the intermediary agent for correspondence with the Ministers, and other higher authorities of the Empire, on matters which relate to the Empire as well as to the Grand Duchy, and which occasion communications from either side. There may, however, be a direct correspondence between the Governor-General and the authorities of the Empire in cases requiring merely executive measures.\*

\* Besides this, it is established by the rules of the administration of pilotage and lighthouses in Finland, that the Governor-General may forward direct to the Imperial Ministry of Marine communications concerning certain measures appertaining to that department.—(*Author's note.*)

*Committee for Finnish Affairs.*

(25) This committee (*vide* Section 8) is composed of the Minister-Secretary of State, as president, and of four members, one of whom is the Assistant-Minister, the three others being appointed by the Emperor for triennial periods. Of these three, one is chosen by the Emperor directly ; the two others are nominated by the Governor-General and the Senate in common, from amongst the senators or other high functionaries.

The committee examines matters brought before it by the Minister-Secretary of State, by command of the Emperor, and gives its opinion on these matters. The resolution of the committee is recorded in a *procès verbal*, which must also include the views of the Senate and of the Governor-General. This document is added to those which the Minister presents to the Emperor in making his report.

26 and 27. *Ministers of the Empire exercising functions for the Grand Duchy.*

(26.) *The Ministry for Foreign Affairs.*—Matters affecting the relations of Finland with foreign countries are not reported to the Emperor by the Minister-Secretary of State for Finland. The Union of the Grand Duchy to Russia having as its consequence a community of relations with foreign powers, the authority of the Russian Ministry for Foreign Affairs extends to Finland as well. This Ministry addresses itself to the Minister-Secretary of State for Finland, either to ascertain the views of the Finnish Senate on international questions affecting the interests of Finland, or to obtain such information as may be thought necessary to represent those interests.

Treaties ratified by the Emperor, and not relating exclusively to the affairs of the Empire, are communicated to the Finnish Senate and published in the collection of the laws of Finland.

Russian Consuls in foreign countries are to apply the laws of Finland on all questions concerning Finnish subjects and shipping.

(27.) *The Minister of War.*—It has been established by a provision of the law of 1878 on the military service in Finland, that matters relating to the Finnish troops, which are neither of an administrative nor of a legislative nature, or for which the law prescribes no other procedure, are to be reported to the Emperor by the Russian Minister of War exercising in this respect the functions of a Minister of War for the Finnish army. A Finnish major-general or colonel, an *attaché* of the Minister of War, is charged with the direct presentation to the Minister of all questions relating to the Finnish army, which, in virtue of the above-mentioned law, come within the province of the Minister of War, or on which his opinion is asked.

V.



THE DIET.

(28) *General Provisions.*—The Estates of the Grand Duchy of Finland are composed of four orders—the nobles, the clergy, the burgesses, and the peasantry. Each of these orders has the same authority.

The Estates assemble at least every five years at an ordinary Diet, convoked by the Emperor and Grand Duke, who may also convoke an extraordinary Diet; the authority of the latter, however, does not extend beyond the matters assigned as the motive for its convocation, or which may be submitted to it by the Emperor.

The Diet meets in the capital of the country.

The normal duration of an ordinary session

\* The new electoral law of 1906 changed the constitution of the Diet entirely. There is now but one chamber of the Diet, & the "four orders" no longer exist as separate legislative bodies. There are 200 members of the Diet.

is four months, but it may be prolonged, and may be closed before this term, on the application of all the orders, or should the Emperor deem it expedient to dissolve the Diet.

(29) *The Order of the Nobility.*—All the heads of noble families, duly inscribed on the rolls of the “House of Nobles,” have an hereditary right of representing this order. In case of the abstention of the head of a family, the right of sitting at the Diet may be exercised by another member of the family, following the order of primogeniture. If, in the time prescribed by law, no member of the family has presented himself in order to take his seat at the Diet, the head of the family may delegate his right, by power of attorney, to a member of another noble family.

At present the number of noble Finnish families is 237, of whom 7 are counts and 45 barons, the remainder having no titles.\*

The total number of this order sitting at the Diet varies from 100 to 140.

\* It will thus be seen that the word “nobility” comprises then on-titled gentry.—(*Translator's note.*)

(30) *The Order of the Clergy* comprises :

(a) The Archbishop and the two Bishops of the Lutheran Church ;

(b) Twenty-eight representatives elected by the Lutheran clergy of the three dioceses ;

(c) One or two representatives elected by the professors and officials of Helsingfors University ;

(d) From three to six representatives elected by the professors and teachers of the lyceums and other public schools.

The elections are conducted in the manner which the different classes of electors have respectively adopted for themselves ; the system of direct elections has been fixed upon.

(31) *The Order of Burgesses* is composed of the representatives of the towns. Every legally-domiciled resident in a town, who is taxed according to the communal law and has duly paid the taxes, has the right of voting, except :

The nobles, and those having the elective franchise in the order of the clergy ;

Women, soldiers, sailors, and domestic servants.

Every town elects one representative for each 6000 inhabitants. But a town having less than 1500 inhabitants has the right of combining with another town whose population is less than 6000, in order to be represented. The elections are direct in towns.

At the Diet of 1885 there were 54 members for towns.\*

(32) *The Order of the Peasantry.*—The rural communes elect one representative for each rural jurisdiction (domsaga), of which there are at present sixty.

The right of voting belongs to every owner of real estate paying the land tax, as also to all tenants of Crown property.

Government officials, and those belonging to any other order than that of the peasantry, have no vote.

The elections are in two stages. The electors of each rural commune choose an elector of the second degree, or more than one if the popula-

\* At the Diet of 1888, the towns were represented by 55 members, of whom eight were from Helsingfors, the capital.  
—(Translator's note.)

tion of the commune exceeds 2000 inhabitants, each complete 2000 inhabitants giving the right to one elector of the second degree.

The electors of the second degree assemble before the judge of the district and proceed to the election of a representative ; each elector has one vote.

(33) *Electoral Qualification and the Suffrage.*—Every Finnish subject of full age has the right to vote in the district in which he resides, regard being had to the above-mentioned special conditions for the election of members in the orders of the clergy, the burgesses, and the peasants. Religious profession does not affect the right to vote, but this right, in each of the three orders, is lost or suspended for the following reasons :—

- a.* Tutelage ;
- b.* Insolvency or bankruptcy ;
- c.* Condemnation to an ignominious punishment ;
- d.* Loss, by sentence of a court, of certain specified civil rights ;
- e.* Purchase or sale of votes, corruption or

electoral fraud, offence against the liberty of suffrage.

In addition to which are excluded—

Those who have not been inscribed as Finnish citizens during the three years preceding the election ;

Those who present themselves as electors in the electoral assembly of one order, after having already voted in another.

The right of voting cannot be exercised by proxy.

Every elector is eligible for election in the order to which he belongs, either in the district where he resides or in another, provided he has reached the age of twenty-five years, that he professes a Christian faith, and that he is not incapacitated from voting.

All that is enacted concerning the general conditions for the suffrage and the eligibility of candidates, as also concerning cases of incapacity, applies equally to the order of the nobility.

(34) *Guarantees for the Independence of the Elections.*

Every public functionary who takes advantage of his authority in order to influence the elections will be deprived of his office.

Every interference with the freedom of the suffrage, all exhortations, threats, or violence, are punishable by imprisonment.

(35) *Rights and Powers of the Members of the Diet.*

The duration of the mandate given to each member is that of a session of the Diet.

A member may not be prevented from presenting himself at the Diet and exercising his representative functions except in case of war, should he belong to the army.

The mandates impose no obligation on the members. They are only bound, in the exercise of their duties, by the provisions of the fundamental laws.

Members are expected to be dignified and

to be moderate in their language ; but no member of the Diet may be impeached or deprived of his liberty for anything said or done in his representative capacity, unless the order to which he belongs authorises his impeachment by means of a formal resolution, which at least five-sixths of the members present shall have supported.

If a member of the Diet, during the session, or in travelling to or returning from the Diet —the object of his travelling being known—be molested by word or deed, or be subjected to any violence whatever after the Diet, on account of the exercise of his functions, the crime will be punished as one taking place under aggravated circumstances.

The members elected may claim indemnification for their expenses during the session, as also for travelling expenses.

(36) *The Verification of Mandates.*

Claims and complaints, to which the elections may have given rise, are tried, in the last

instance, by the supreme tribunal (the Justice Department of the Senate).

As soon as the Diet is assembled, the mandates of the members elected are verified and seen to be in the prescribed form by a high public officer nominated by the Emperor, but the orders have the right of deciding for themselves as to the validity of the elections.

The members of the order of nobility have to establish their right to sit before a permanent committee for the affairs of their house.

(37) *The Diet is constituted* by the appointment of the Presidents, a solemn opening, and then the formation of committees.

Each order has its President and Vice-President appointed by the Emperor and Grand Duke, and respectively chosen from amongst the members ; but, as to the order of the clergy, the archbishop is always president—or, in his absence, one of the bishops.

The secretaries are elected by each order, except in the case of the peasantry, whose secretary is appointed by the Emperor from among the jurisconsults.

On the day fixed upon, all the orders, after having been present at divine service, assemble in the throne-room, where the Emperor or his representative reads an address to the Estates and declares the Diet open, after which the Presidents in turn make speeches, in which they tender their homage to His Majesty. The Emperor then communicates to the Estates a list of the legislative measures proposed to be submitted to them.

Within eight days of the opening, each ordinary Diet forms five committees charged with the preparation of the various matters to be considered. These are: the legislative committee, the committee on economical questions, the finance committee, the extraordinary taxes committee, and the bank committee.

The Diet may also form other special committees, should such be thought necessary.

There are twelve or sixteen members on each committee, a quarter of whom are chosen by each order, by means of electors nominated for that purpose. Senators may not be members of a committee.

The committees elect their own presidents and secretaries.

(38) *Sittings*.—The four orders sit apart.

The definite resolution of a question which has been the subject of discussion cannot be proposed before the order, by the decision of its President, has declared the debate closed. After this declaration the resolution must be drawn up in due form ; it must be decided by *yes* or *no* ; and the President must announce what, in his opinion, is the result of the division. This declaration is accepted unless a secret scrutiny be demanded, which cannot be refused ; besides this, each member has the right of adding his own personal opinion on the record of the proceedings. The scrutiny takes place by means of papers, with "*yes*" or "*no*" printed on them, which must be closed or rolled up before being placed in the box.

The resolutions of one order are communicated without delay to the other orders, under the form of extracts from the records.

The orders may assemble altogether at a

general sitting on the proposal of one order, supported by at least one of the other orders. These sittings, at which the President of the order of nobles takes the chair by right of priority, and at which the senators may be present on the part of the Government, can only be deliberative ; the resolutions on questions thus debated are passed in an ordinary sitting of each order, immediately after the close of the general sitting, without any renewal of the debate.

The sittings are public, but strangers may be excluded and the sitting be a secret one by a previous declaration and decision to that effect.

At the sittings of the order of nobles the Swedish language is exclusively used ; at those of the other orders, Swedish or Finnish is optional. At those of the order of the peasantry, translation\* is obligatory, and is made by official interpreters.

\* *i.e.*, from Finnish into Swedish. It may be as well to remind the reader that the noble families of Finland are almost exclusively of Swedish descent, hence Swedish is their mother tongue.

(39) *Resolutions of the Diet.*

Measures are passed in each order by a majority of votes. We will show later on in what cases all four orders must agree, so that the resolution of the Diet may hold good, and in what cases the concurrence of three of the orders suffices; as also under what circumstances a grand committee of sixty members is formed, provided with all the powers of the Diet itself for settling questions submitted to it.

A special committee, composed of two members from each order, is formed for the despatch of business, and for the precise wording of the reports in which the Estates present to the Emperor their answers to proposals emanating from His Majesty, or else their own proposals and petitions.

The same may be said of the upper and ruling classes in general, whereas the clergy and peasantry are nearly all of the native Finnish race, hence these two last-mentioned orders carry on the debates in Finnish. In the order of the burgesses the Swedish tongue still reigns supreme, but there are not wanting signs that the rising Finnish party may one day possess a majority here too.—(*Translator's note.*)

The drawing up of these documents is verified by the orders themselves, or by delegates appointed for that purpose.

The recess (*recez*) is signed by all the members of the Diet, but the other despatches by the Presidents of the four orders only.

All these documents, as well as the projects of the Emperor, are published in the two languages of the country.

(40) *The Powers of the Diet.*

The Estates of the country, assembled at the Diet, represent the nation.

They exercise, conjointly with the Emperor and Grand Duke, the legislative power.

They vote taxes ; they have their share in settling financial questions.

They govern, supervise and control, through their delegates, the work of the State Bank (Bank of Finland).

They give their opinion on administrative projects submitted by the Emperor for their consideration.

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They have the right of petition, of which they generally make use in order to ask for measures emanating from the governmental power; but they may also, by petition, pray for projected legislative measures.

Any member of the Diet has the right to propose a petition; this proposal must be made within fifteen days of the opening of the Diet; it is then submitted to a preliminary discussion by one of the committees of the Diet.

## VI.

### LEGISLATION.

#### (41) *Different Categories of Laws.*

From the point of view of the legislative authority, from which they emanate, two categories of laws may be made—

(a) Laws, strictly so called, emanating from the co-operation of the Sovereign and the Diet; and

(b) Decrees, statutes, ordinances and regulations of public administration not requiring the co-operation of the Diet.

The constitutional acts, in their relative provisions or legislative power, have regard only to the first of these two categories, ad-

ministrative legislation being comprised in the functions of the governmental power.

Legislation, properly so called, which is exercised conjointly by the Emperor and the Diet, comprises—

1. The fundamental laws and privileges of the orders ;
2. The laws on civil and penal matters, and those on civil and criminal procedure ;
3. The laws regulating the Lutheran Church, and the rights of other creeds ;
4. The maritime code ;
5. The laws on military organisation ;
6. The laws regulating the Bank of Finland and the monetary system ;
7. The laws on taxation ;
8. The laws on economical and administrative matters concerning, not the duties of public servants, but the rights and duties of citizens ; such are the laws on industry and commerce and on communal administration, the agrarian laws, &c.

(42) *The right of Initiative.*

The Emperor and Grand Duke has the right of initiative in all legislative matters.\*

The Diet has the same right, but with certain limitations; it does not extend to the fundamental laws, nor to those on the organisation of the national defence, nor to legislation concerning the Press.

As to the exercise of the Emperor's right of initiative, it is the Senate which first prepares the laws (*vide* section 17).†

But the initiative, properly speaking, only takes place when the Emperor, after having examined the projected measure, decides that it shall be submitted to the Diet.

The right of initiative of the Diet implies the

\* There is, however, a condition to be observed as regards ecclesiastical legislation : every projected law concerning the organisation of the Lutheran Church must be based on a proposal made by the Council of that Church.—(*Author's note.*)

† The Council of the Lutheran Church must be heard on any legislative question touching the relations of this Church with other Churches, and with the State, as also on so-called mixed questions (marriages, &c.)—(*Author's note.*)

right for each representative to bring forward motions in the order of which he is a member ; these motions to be made within fifteen days after the opening of the Diet, to be drawn up in the form of a Bill, and to be preceded by a statement of the reasons for the proposed measure. Different subjects may not be mixed up in a single motion. It is only after the report of one of its committees that the Diet decides whether or not there is reason to submit to the Emperor the Bill which is the object of the motion.

(43) *Procedure relative to Bills.*

Government Bills are presented simultaneously to all the orders ; those on constitutional matters must be referred, without preliminary debate, to the legislative committee ; all other projected laws may be the object of previous deliberation.

The projected laws mentioned in Groups (2) and (5) [sec. 41] must also be referred to the legislative committee, strengthened, if need be, by a special committee. The economical com-

mittee prepares Bills on economical and administrative affairs. As regards financial questions and projects affecting the Bank of Finland, mention will be made of them later on.

The reports of the committees are distributed simultaneously to all the orders. The debate does not take place at the same sitting at which the report has been presented.

The committees are informed, by extracts from the records, of the resolutions of each of the orders. Should there not be the requisite unanimity in order to form a valid resolution of the Diet, the committee must frame a measure which, whilst being based on the resolutions taken, has for its object the conciliation of divergent opinions.

In case of a constitutional reform (that is, of a Bill effecting a revision or modification of the fundamental laws) the assent of all the four orders is necessary. The definite resolution in such cases is adjourned to the next Diet, should two of the orders vote for such an adjournment. Every legislative measure affecting the

privileges of the orders likewise requires the assent of all the four orders.

In all other legislative matters (except financial laws), whether projected by the Government or by a motion of a member, a resolution agreed to by three of the orders is valid as the decision of the Diet. If the orders, in their resolutions, are grouped two against two, the Bill has not passed, unless the Diet should have declared it to be urgent. In this case, and also when the resolutions of the orders present partial divergencies, which have not been effaced by a measure of conciliation projected by the committee, recourse is had to a grand committee of sixty members (*vide* sec. 39). This committee, which is really a delegation of the Estates, is formed by increasing the number of the members of the committee, which has prepared the measure, to fifteen from each order, by means of direct election. The grand committee does not deliberate; it immediately proceeds to ballot on the propositions submitted to it, and what it decides

by an absolute majority of votes is valid as the decision of the Diet.

(44) *Sanction and Promulgation.*

Every law passed by the Diet is submitted to the Emperor and Grand Duke for his sanction, before giving which His Majesty consults the Senate.

This sanction given, the law comes into force, but in order that it may be applied it must be promulgated and published.

Promulgation is made by the Senate, which signs the law in the Emperor's name, citing his sanction, and giving also the date of the promulgation ; fundamental laws, however, are promulgated by manifestoes, signed by the Emperor, and bearing the date at which they were sanctioned.

All laws are published in the Official Gazette of Finland, in Swedish and Finnish, as well as in the collection of the laws of the Grand Duchy, also published in the two languages.\*

The laws are read out in the churches.

\* The above-mentioned collection is published in Russian, too.—(*Author's note.*)

(45) *Legislative Administration.*

We have already said, in speaking of the different categories of laws, that legislation, as understood in constitutional acts, always presupposes the conjoint action of the Sovereign and of the Diet, whilst the Emperor's right to legislate in administrative matters, without the co-operation of the Diet, is understood to form part of the attributes of the executive power.

As the result of historical development and of constitutional principles we may state—

That the Emperor and Grand Duke, in virtue of his prerogative as ruler of the country, has the right not only to decree measures *in casu*, but also to make such enactments as he may think necessary to insure the execution and observance of the laws, and, in general, the proper discharge of their duties by the public authorities, as also to carry out the work of government;

That the enactments thus made, forming what we term administrative legislation, have

the laws emanating with the co-operation of the Diet for a basis and foundation, and may not be in contradiction with either the letter or the spirit of these laws.

Questions relative to the legislative power of the Government sometimes present difficulties. In making, *e.g.*, regulations affecting the public safety, it is not easy to avoid encroaching on the rights and duties of citizens, which are matters appertaining to legislation properly so called, although such regulations are, generally speaking, within the province of administrative legislation. In order to avoid any departure from the principles of the Constitution, the practice is to have recourse to the Diet for every legislative measure which is not undoubtedly in the power of the Government.

Concerning the exercise of the right of legislating in administrative matters, we refer the reader to sections 18 and 20, which treat of the functions of the Senate.

## VII.

### FINANCES.

#### (46) *The Budget ; General Observations.*

The budget of the State is divided into two parts : the one ordinary, the other extraordinary. This division is not based on the financial character of the receipts and expenditure ; it expresses the distinction, in financial matters, of the authority of the Emperor or of the Diet.

The ordinary budget comprises the income from the following sources : the revenue from Crown lands and investments, from the post-office and other public establishments, from permanent taxes and from miscellaneous sources.

The total constitutes what is termed the general fund of the State.

In the ordinary budget is included, in the first place, all the normal expenditure of the State—the expenses of government, of administration, of public institutions; also accidental expenses.

The ordinary budget is fixed by the Emperor without the co-operation of the Diet.

Up to 1865 there was no extraordinary budget, the resources of the “general fund” having sufficed to cover the whole expenditure, or, to speak more exactly, any increase of expenditure beyond the amount of these resources was impossible so long as the Diet was not convoked, for on it depended the voting of taxes.

The credits and taxes voted by the Diet in 1863-64 were the commencement of the extraordinary budget. This budget, the importance of which has been constantly on the increase, includes—

(a) All revenues, the disposal of which depends on the decision of the Diet, *i.e.*,

temporary or extraordinary imposts, viz., those voted for a stated period, and the income from railways, from the Bank of Finland and from State loans.

(b) The expenditure voted by the Diet, whether for occasional purposes, as the cost of construction of railways, or for more extended periods, as annuities or interest on the public debt.

Regarded from a financial point of view, the two parts of the budget might be designated ordinary and supplementary budgets.

#### *(47) Establishment of the Budget.*

The resolutions of the Diet on the budget refer to the years following that in which the Diet is assembled, including also the year in which the next Diet will be convoked; this is what is called a financial period.\*

Every credit asked for by the Government

\* The financial period may thus be of five years. But the last periods have only been of three, the Emperor having decided in 1882 to convoke the Diet in 1885 and again in 1888.—(*Author's note.*)

forms the object of a special vote. But, at the same time, a collective vote is taken upon a summary of all these credits, and upon the provision to be made with regard to the revenues to be applied to that purpose. To this provision is added an estimate for the period in question, worked out by the financial department of the Senate.

The financial committee of the Diet, which has to prepare these matters, whilst keeping in view the Treasury accounts, must ascertain whether or not the state of the finances necessitates extraordinary resources. The committee makes a special report on each credit proposed, and a general report as well, in which it submits to the Estates its financial calculation and its views as to the ways and means of covering the expenditure, so far as this depends on the Diet.

The agreement of all the four orders is necessary for resolutions on financial questions; but if the orders have come to different resolutions on these matters, the business is referred to a grand financial committee of sixty members

(compare sections 39 and 43). A credit not approved by two-thirds of this committee is considered as rejected by the Diet.

The resolutions of the Diet relative to the budget are submitted to the Emperor and Grand Duke for his sanction, and are promulgated by the Senate. They serve as the basis for the annual framing of the extraordinary budget.

As far as the ordinary budget is concerned, the Senate submits to the Emperor, in the month of May, its projected measures in regard to the increase or decrease of expenditure to be introduced into the estimates of the following year. These estimates are prepared towards the end of the current year, and are submitted, together with the extraordinary budget, for the Emperor's approbation. There may also be supplementary credits; in the month of March, after having ascertained that there is a surplus on the ordinary budget of the preceding year, the Senate asks the Emperor's authorisation to make certain incidental expenditure considered necessary or useful; this expenditure may not

exceed the amount of the surplus, and is brought into the accounts of the current year.

We must add that, in connection with the adjustment of the budget, its unity is not only broken by the division into an ordinary and extraordinary budget, but also by certain subdivisions: the army estimates and the “communications fund” constitute special parts of the total budget.

There is, besides, still in existence, coming down from the times of the former military organisation, a “militia fund,” represented by the revenues of the Crown lands (formerly applied to the maintenance of officers and non-commissioned officers of the army) and by a certain proportion of the land taxes. But, in virtue of a provision of the law of 1878 concerning military service, the sums required for the army estimates, over and above the militia fund, may not be granted from the ordinary resources (the “general fund” of the State), but must be supplied by the Diet. That is why the military estimates form a special section of the State budget.

The “communications fund” dates from a resolution of the Diet of 1872.

It was thought desirable to secure the development of the railway system by assigning for that purpose sufficient resources, independently of the general budget. This fund, or this special budget, comprises at present nearly the whole amount of the national debt, as with two exceptions all the loans have been contracted for the construction of railways.

The inconveniences which the divisions and subdivisions of the budget present, make it impossible to show the total revenue and expenditure at a glance. These inconveniences would be somewhat sensibly felt, perhaps, if the unity of the budget could not be established in the calculations which serve to guide the estimate of the state of the finances.

(48) *Taxes.*

New taxes may not be imposed, nor old ones altered or abolished, without the consent of the Diet.

Projected measures relating either to alterations in the assessment or in the manner of collecting permanent taxes, or to the abolition of established imposts, are submitted to preliminary consideration by the finance committee.

With regard to the extraordinary taxes, forming part of the ways and means which the Diet, on the report of the finance committee, shall have desired to appropriate for the purposes of the extraordinary budget (*vide* section 46), the committee on extraordinary taxes must make proper provision for the assessment of these taxes; it has the right of initiative in this matter. This committee, augmented to sixty members, having the powers of the Diet, decides by a majority of two-thirds of its voices such provisions relating to the said taxes as the four orders have not been able to agree upon.

The general rule of the Constitution, according to which taxation depends upon the vote of the Diet, is subject to a rather important exception: the customs duties are fixed by the Government without the co-operation of the Diet. Want

of space prevents our explaining here the historical facts which gave rise to this exception, which has been acted upon since 1772.

There is one other exception, expressly recognised by law.

If the country is attacked by an enemy, the Emperor and Grand Duke has the right of imposing contributions necessary for its defence. But, immediately after the termination of the war, the Diet must be convoked, and the levying of these contributions must cease.

(49) *Other Revenues of the State.*

The Crown lands, fisheries, and forests are utilised for the benefit of the State, according to regulations established by the Government. No expropriation of Crown property may take place without the consent of the Diet.

The Emperor regulates the administration of State investments.

The Diet determines the proportion of the annual profits of the Bank of Finiland to be assigned to State revenue.

The postal, railway and canal rates, pilotage fees and lighting dues, as well as other charges for services rendered by public institutions, are fixed by the Government.

No loan can be contracted without the consent of the Diet.

(50) *Financial Control.*

At the commencement of each ordinary Diet a summary of the financial situation is made to the Estates, "so that they may learn how the Crown revenues have been employed for the profit and good of the country."

This summary, containing the accounts of the latest receipts and expenditure, with special reports on the public debt and on the administration of the extraordinary taxes, is examined by the finance committee, which must control more especially the application of the financial resolutions of the last Diet. All the account-books of the several public departments must be placed at the disposal of the committee.

When the Diet informs the Government of

the observations made by the finance committee relative to the administration of the finances, these observations are taken into consideration by the Senate, and the ensuing Diet is informed of the measures taken in consequence of the same.

All public accounts are likewise subjected to annual revisions, made by auditors nominated for that purpose.

## VIII.

### THE RIGHTS OF CITIZENS.

#### (51) *Class Privileges.*

The principle of the equality of all citizens in the eyes of the law, a principle held sacred by the ancient Swedish laws, became sensibly modified in the course of centuries.

The order of nobles was distinct from the rest of society. At the end of the Middle Ages it already had important privileges, which were still further extended during the sixteenth and seventeenth centuries.

Of these privileges, as far as they relate to social and economical conditions, there now remain only a few insignificant remnants. Since 1863 they have been abolished either

by special laws or by legislative reforms, modifying in general the social conditions. Yet the nobles have retained a precious privilege by way of legacy from past ages—that of constituting a part of the Diet (*vide* section 29). But if this right of representation is a privilege, which is beyond all doubt, it implies at the same time a public duty, a political function outside the pale of the common law.

As touching the order of burgesses, its privileges have all been abrogated by modern legislation. The guilds and bodies of wardens, which formed exclusive corporations of merchants and manufacturers, no longer exist; the right of administering the local affairs of towns and representing them at the Diet no longer belongs exclusively to the enrolled burgesses.

The rights of the peasantry have also been the object of special confirmations. These rights concern more especially the free usufruct of certain public lands—a right which was formerly limited in order to secure the interests of the treasury. As to the right of representation at the Diet, it is no longer exclusively

confined to the peasant class, properly so called.

The privileges of the clergy are the only ones which have been preserved in full. But, looking at these privileges from the point of view of social equality, they can hardly be considered as exceptions to the common law, the clergy being a body of public functionaries and not a social class strictly speaking. The immunities enjoyed by ecclesiastical property are in reality merely a way of paying the clergy ; the general character of the privileges in question is to secure State protection for the Lutheran Church and economical advantages for its clergy.

#### (52) *Rights and Duties of Citizens.*

The common law applies then to all members and all classes of society. We will give a summary of the main features of the general rights secured by law to Finnish citizens :

- (a) Security and individual liberty are guaranteed by law ; no one can be deprived

of his liberty by the authorities, except in cases of a criminal offence or else by virtue of a sentence of a court of justice or of a legal conviction (*vide* Note, section 14).

(b) Excepting the cases of legal punishment entailing confiscation of property, no one can be deprived of his property save for the cause of public utility, in such cases and in such manner as are established by the law on expropriation, and then only for a fair compensation made beforehand.

(c) No one can be deprived of his right to be tried before the tribunal assigned by law, nor prosecuted otherwise than according to the rules of legal procedure. The formation of extraordinary judicial tribunals or commissions is not allowed.

(d) Every Finlander, without distinction of class, has a right to acquire real estate. Some lands are more or less exempt from the ordinary land tax. Formerly these favoured lands could only belong to members of the order of nobles; but this exclusive right having been abolished, the immunities in

question no longer represent a class privilege, they are merely rights attached to the land and pass to every purchaser. The land tax once legally fixed cannot be augmented on account of new clearings or new spaces brought into cultivation.

(e) No preliminary permit from the authorities is needed in order to exercise any trade or profession. The main provisions of the industrial law of March 31, 1879 (a law which completed the emancipation of trade from the old restrictive system), are as follows :—

Every Finnish citizen, of either sex, has a right to exercise the trade or profession of his or her choice; so also has every society or legally constituted-company.

Any one who intends to carry on business in a shop or office, or who wishes in his industrial enterprise to employ workmen other than the members of his family, must make a declaration to that effect, in towns before the bench of magistrates, in the rural districts before the bailiff.

No prior declaration is needed to exercise any trade for self-subsistence without workmen or paid assistants. Every Finnish citizen has the right to import goods from or export goods to foreign countries, as also to be the owner or part owner of a vessel.

Exceptions to the general rule are: the trades of a bookseller, printer, chemist, dealer in wines and spirits or in explosives, all of which trades require a special licence. Hawking is allowed under certain restrictions.

Governors of provinces may grant to foreigners residing in the country the right of establishing themselves as merchants or manufacturers.

(f) Associations for commercial or industrial enterprises do not require a preliminary licence; but the articles of association and rules and regulations of joint stock companies must be submitted for the sanction and approval of the Government.

In order to form societies or companies with any other object, Government authorisation must be obtained. Secret societies are forbidden.

The law does not interdict the right of public meeting.

(g) The liberty of the press is not guaranteed by law. Press matters are regulated by administrative legislation, which, whilst recognising the right of every Finnish citizen to publish his ideas on all scientific objects, obliges printers to submit their works to the press censors before offering them to the public. Periodical publications likewise require a preliminary authorisation; each number is submitted to the censor before appearing.

(h) There are no class privileges in the matters of contributions or military service.

(i) Neither are there any class privileges or distinctions as to admission to Government offices or employment.

(k) The public schools are open to the children of all classes of the population.

(l) Liberty of conscience is recognised in principle.

## IX.

### THE STATE AND RELIGION.

#### (53) *The Lutheran Church.*

We have stated, in speaking of class privileges, that those established in 1723, and still in force, secure to the Lutheran Church the protection of the State, and to the clergy the enjoyment of the economical advantages recognised by pre-existent laws.

What particularly characterises the preponderant position of the Lutheran Church is, that its parishes are usually territorial parishes coinciding with the communes; a few towns and districts in the provinces of Viborg and Kuopio being the only exceptions. The tithes that every landowner in the rural parishes

(except those belonging to the Russo-Greek Church) must pay to the Lutheran clergy are fixed by State laws ; the other dues, either for the clergy or for the building and repair of churches, are likewise based on legislative provisions, which, however, allow the parishioners to regulate these dues by conventions, to be submitted to the sanction of the Senate.

The law of 1869, on the organisation of the Lutheran Church, has developed the administrative autonomy of the parishes, and freed the Church from State tutelage, without modifying any of the economical privileges. According to this organisation, there are four authorities for administering Church matters—the council, the chapter, the parish council, and the congregation. Each of these authorities has distinct powers and functions.

The council is the Church parliament or convocation. It rests with it to propose legislative measures for the organisation of the Lutheran Church. Any projected measure adopted by the council is submitted to the Emperor and to the Diet. Thus, in ecclesiastical matters, the

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legislative power of the State is limited to approving or rejecting the proposals of the council.

It lies within the province of the council to adopt new manuals for religious service and teaching—such are the Book of Psalms, the Gospels, the Catechism, the Liturgy, and the translation of the Bible.\* The council has the choice of persons charged with the revision of these books.

The council has the right to set forth the wishes and wants of the Church, regarding either the relations of the Lutheran Church with the State and with other Churches, or mixed questions, more especially the provisions of the civil law on marriage. Its views are consulted on all projects concerning such matters.

The council is composed—

(a) Of representatives of the clergy; the archbishop and the two bishops (their places being taken, in case of their absence, by the

\* According to the old Church code, the adoption of these books depended on the Government.—(*Author's note.*)

members of the chapter), and thirty ministers from the three dioceses ;

(b) Of representatives of the laity ; a senator, a member from each of the three courts of appeal and from the faculty of jurisprudence of the University, a lay deputy from each deanery of the diocese, all nominated by their respective electors. The archbishop acts as president.

The chapter exercises spiritual government, and has administrative jurisdiction within the diocese. It comprises the bishop (or archbishop) as president, and four members, the minister highest in rank of the diocesan town, two clergymen elected for a period of three years by the clergy of the diocese, and a member who must be competent in judicial matters and perform the duties of a secretary.

The parish council is composed of the rector, as president, of the remaining clergy of the parish, and of at least six members elected by the parishioners, their mandate holding good for four years. The duties of this parish council

are to direct and control the administration of Church property, and to exercise a surveillance over ecclesiastical morals and discipline.

The parishioners meet and decide by resolution upon the financial affairs of the parish. The law has determined the matters (loans, sale of real estate, &c.) on which the decision of the meeting, in order to be valid, requires Government approval. The law of 1869 authorises, under certain conditions, all members of the Church to form religious assemblies in which laymen have the right to speak.

The bishops are appointed by the Emperor from among the three candidates who received the most votes at the election. The right of election belongs to the clergy of the diocese.

As regards the rectors of parishes, their nomination is also based on suffrage. The parishioners vote for one of the three candidates who have applied for the appointment and whose candidature has been approved by the chapter. The one who obtains a majority of votes is appointed by the chapter, except in those parishes where the appointment of the

rector is reserved to the Emperor ; in these cases the Senate gives its opinion on the candidates, amongst whom the Emperor chooses independently of the result of the suffrage.

(54) *The Greek Church.*

In a few communes on the borders of Russia and in certain towns there are parishes of the Russo-Greek Church.\* The clergy of the rural parishes are paid in almost the same manner as the Lutheran clergy ; they receive the tithes of land belonging to owners who profess the Greek religion. In those towns where the number of parishioners is very small, the priests receive salaries from the State funds.

Finnish citizens belonging to the Greek Church have the same civil and political rights as Lutherans.

There is, in the town of Viborg, as the

\* The number of Finnish citizens professing the orthodox faith, that is the faith of the Greek Church, is about 40,000, i.e., approximatively two per cent. of the population of the Grand Duchy.—(*Author's note.*)

central organ of the Greek parishes in Finland, a chapter composed of a presiding canon and of three members, appointed, as are the priests, by the Holy Synod at St. Petersburg, which has control over the clergy in all religious matters. But the relations of the Greek parishes with the State have been regulated by legislative acts of the Finnish Government.

(55) *Other Religions.*

According to old ecclesiastical law, Lutherans were not allowed to abandon their faith. The law of 1869, on the contrary, recognises the right of Lutherans to change to another faith, according to the voice of their conscience.

The principle of religious liberty thus established, there remained the question of determining the relations of dissenting communities with the State. A Bill, prepared for that purpose, was submitted to the Diet of 1877, but did not pass. The Government has prepared a new measure upon which the Council, which

will shortly assemble, will give its opinion beforehand.\*

In the meantime there remains a serious want of provision in the laws on religious matters.

It is worthy of note that the tendency of modern legislation has manifested itself likewise in the provisions of the law of 1869 on the Diet, according to which the right of suffrage does not depend on religious belief, and eligibility for candidature is compatible with any Christian creed. The laws on communal administration also make no distinction of rights on account of the faith professed by the members of the Commune, and the civil and political rights of members of other Churches are thus recognised as being the same as those of the Lutherans, except with regard to admissibility to Government service.†

\* This Bill was submitted to the Diet of 1888 and passed, but in a somewhat mutilated form on account of the opposition of the clergy and peasantry.—(*Translator's note.*)

† Since 1741 the Anglican and Reformed Churches have been recognised in Finland as authorised religions.—(*Author's note.*)

## X.

### JUDICIAL ORGANISATION.

#### (56) *Tribunals of First Instance.*

(a) The borough jurisdictions are distinct from those of the rural districts. The town court (*rådhusrätt*) is composed of the burgomaster as president, and of two or more aldermen as members. The burgomaster is appointed by the Emperor from among three candidates selected by the municipal council; the aldermen are elected by the council, and receive their investiture from the governor of the province.

The burgomasters, in general, are not judges only, but have municipal functions. In the

larger towns, however, there are two burgo-masters, the one devoted exclusively to the court, whilst the other is at the head of the municipality. The court may be separated into sections. In order to pass judgment or sentence, three members must be present. It has jurisdiction in all civil and criminal matters. But, in cases of infamous crimes, the sentence, whether it be one of condemnation or acquittal, must be submitted to the court of appeal; all maritime cases require the presence at the court of two experts, as assessors, who are chosen by the court for a period of one year.

All judgments or sentences of a town court can be appealed against.

(b) The country outside the towns is divided into sixty jurisdictions (*domsaga*), each of which comprises from three to five judicial districts (*tingslag*). For each jurisdiction there is only one judge (*häradshöfding*), learned in the law, who is nominated by the Emperor. The district court (*häradsrätt*) is composed of this judge, as president, and of at least five councillors (*nämndemän*) chosen from among

the landowners of the judicial district. The court sits twice a year in each district, the district judge thus goes on circuit twice annually (February to April and September to November). The days on which the sessions commence are announced to the public beforehand. There may also be extraordinary sessions, either for grave criminal offences or at the request of one of the suitors.

In each cause, when the hearing is concluded, the presiding judge must point out to the councillors the provisions of the law applicable to the case. The finding of the councillors outweighs that of the presiding judge only when they unanimously come to a conclusion different from his ; but if the councillors are not all agreed, the judge's decision is decisive.

The jurisdiction of the district court is analogous to that of the town court, but it does not extend to cases relating to bills of exchange, nor to maritime cases relating to average or insurance, these all being reserved for town courts.

The tribunals for division of lands (egodel-

ningsrätt) recognise, in the first instance, the disputes arising between landowners, on account of the divisional boundaries proposed by the Government surveyors in those districts where the appurtenances and boundaries of estates have not yet been definitely settled and determined. These tribunals, established *pro tem*, have the character of courts of arbitration; they are composed of a presiding judge, elected by the landowners of the commune (save the ratification of the court of appeal) and of councillors chosen by the landowners. Appeals against the decisions of these tribunals are addressed to the Department of Justice of the Senate.

(57) *The Court of Appeal.*

There are three courts of appeal (hofrätt). That of Abo is constituted of a president, a vice-president, and eighteen members; that of Viborg is similarly constituted, but with seventeen members; that of Vasa has a president and nine members. The presidents and vice-presidents are nominated directly by the

Emperor, as are also the members, but the latter are presented for nomination by the Department of Justice of the Senate.

The courts of appeal are divided into sections, each being complete with five members; but four members may pronounce sentence in non-capital cases, provided three of them agree to the sentence.

The court of appeal takes cognizance, in the second instance, of all appeals from the decisions of the town and district courts in all matters within their respective jurisdictions, and from the decisions of the governors and some other public functionaries in certain cases determined by law. It examines the sentences imposed for infamous crimes, which sentences are submitted to it by the tribunals of first instance.

Besides the above, the court of appeal deals, in the first instance, with blasphemies against the Deity, after investigation before a lower tribunal, offences against the Sovereign and crimes against the State, crimes and misdemeanours committed by judges of first instance

in the performance of their duties. The higher public servants (governors, officers of the Senate, directors of central administrations) are tried before the Abo court of appeal.

The procurator (advokatfiskal) of the court of appeal is the prosecutor in such cases.

(58) *The Last Instance.*

In explaining the prerogatives of the Senate, we have already stated that the judicial power, in the last instance, belonging to the Emperor, is exercised in his name by the Senate, in the Department of Justice.

The suitor who wishes to appeal to the Senate against a decision of the court of appeal in a civil case must deposit 192 marks,\* which sum is forfeited should the sentence be confirmed. This obligatory deposit, from which poor people are exempted, is not required to be made by those who have recourse to the Senate in a criminal cause, nor on an appeal from the

\* The Finnish mark corresponds to the French franc.—*(Translator's note.)*

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decisions of the tribunals for the division of landed property.

The Department of Justice sitting as a legal tribunal may be divided into two courts, each consisting of five members ; but four suffice, in non-capital causes, provided that three of the members agree on the judgment or sentence to be pronounced.

### (59) *Military Jurisdiction.*

Each army corps has a military tribunal composed of officers. This court has jurisdiction in all cases of offences against the military laws committed by members of the army, as also in cases of crimes perpetrated by them in time of war. The military auditor, appointed by the Department of Justice of the Senate, performs the functions of public prosecutor. He must be a jurist. The chief military tribunal, established at Helsingfors, is constituted of a president appointed by the Emperor, and four members, three of whom are officers nominated by the governor-general for two years ; the fourth is a chief auditor, nominated by the Emperor,

on the recommendation of the Department of Justice of the Senate.

This tribunal takes cognizance, in the second instance, of appeals from the decisions of the military tribunals. It tries, in the first instance, certain cases determined by the law.

The Department of Justice of the Senate is the final court of appeal to which resort can be had in military matters.

## XI.

### ADMINISTRATIVE ORGANISATION.

#### (60) *General Observations.*

It has been shown that the Administrative Department of the Senate and the six sections composing the same (corresponding to the ministerial departments of most States) control the public administration. These functions are exercised with the assistance of agencies established by the different branches of the services.

There are central administrations whose jurisdiction extends over the whole country, and local administrations whose functions are confined to certain districts.

The central administrative authorities are immediately dependent on the Senate; the local agencies depend partly on the Senate, partly on the central administrations.

In the same way public establishments (*e.g.* educational institutions) which require the careful attention of the administration, supply either local wants or subserve the general interests of the country. The administrative sphere of action of the Senate does not, however, include equally all State institutions; the Bank of Finland is governed by delegates from the Diet, and the university enjoys much autonomy in the management of its affairs.

#### A.—ADMINISTRATIONS DEPENDING ON THE SENATE.

##### (61) *Distribution of Administrative Agencies according to the sections of the Senate.*

The following are subordinate :—

###### (a) To the Home Section :

Provincial administrations, of which mention will shortly be made;

The public health board, to which doctors, midwives, hospitals, and pharmacies are amenable ;

The postal and savings bank department ;

The department of public buildings, having under its orders the provincial architectural offices ;

The prisons department ;

The department for press matters ;

The central statistic office.

(b) To the Financial Section :

The treasury department, charged with the administration of the central pay-office of the treasury, of the reserve, of other securities, and of the public debt ;

The customs department ;

The controllers of the duties on spirits, and the stamp office ;

The pilotage and light-house departments, including also hydrographical works ;

The local departments of schools of navigation ;

The department of industrial affairs, which has also supervision over the polytechnical

institute, industrial and commercial schools, as well as the administration of the mint.

(c) To the Control Section :

The general court for the control of accounts, together with the control office—an institution which does not exercise administrative functions, but which represents a branch of the administrative jurisdiction ;

The general department of geodesy, which supervises the surveyors, the registries of the surveys of lands, and the administration of weights and measures.\*

(d) To the Section on Military Matters :

The troops and the military school, as far as their economical administration is concerned ;

The commissariat and the inspector of barracks ;

The recruiting commissions.

(e) To the Section of Public Worship and Instruction :

The chapters of the three dioceses of the

\* In accordance with the law of July 16, 1886, the French metrical system has been introduced into Finland and will become obligatory from the year 1892.—(*Translator's note.*)

Lutheran Church, as the organs of that Church and of its clergy in their relations with the Government;

The school board, which comprises the chief inspectors of schools and is charged with matters concerning the national schools, the pedagogical establishments, middle and upper class schools for both sexes, as well as the inspection of private schools that receive subsidies from the State;

The central archives of the State.

(f) The Section of Agriculture and Public Works:

The general administration of the means of communication, charged with canal and drainage works, as well as with the construction of railways, not entrusted to a special commission;

This department has under its orders the engineering staff and the canal directors;

The railway department, which works the whole State railway system;\*

\* With the exception of one short branch line, all the Finnish railways are Government property. Vide Appendix.

The State forest department ;

The inspector of fisheries, the State agronomists ; the agricultural schools and establishments ; the agricultural improvement societies which receive State subsidies.

(62) *Organisation and General Functions of the Central Administrative Departments.*

The managing boards in matters of public health, of the press, of the customs, of industrial affairs, of schools, ways of communication and railways, as well as the treasury, are organised as councils (or colleges) of at least three members, including the chief director. Decisions are formed by a majority of voices ; there are, however, in several of these boards, more especially in that of the railways, matters reserved for the decision of the chief director alone.

The other managing boards mentioned above, as also the central offices of statistics and of the commissariat, are organised like chanceries, the chief director alone deciding questions.

The chief directors and members of the

central managing boards are appointed by the Emperor; the Administrative Department of the Senate presents the candidates for these posts, excepting for that of director of pilotage and light-houses, to which the Governor-General alone presents the candidate; the pilotage officers are nominated in the same manner as the director. The secretaries, treasurers, and other officials of analogous rank are appointed by the Administrative Department of the Senate, on the presentation of the boards of management; these latter appoint the lower officials. The professors and teachers of the upper and middle-class schools are nominated by the school board.

The general functions of these boards consist:

In maintaining the strict application of the laws and regulations concerning the working of their respective departments;

In executing the orders of the Government;

In striving to develop the public institutions entrusted to their charge, either by measures coming within their own province,

or by submitting to the Senate projected measures for the purpose;

In exercising surveillance over functionaries subordinate to them.

The authority of the administrative bodies now under consideration is determined by laws and regulations, and is besides limited by the budgets.

They must issue annual reports of the work done during the past year ; these reports being presented to the Senate and published in the official statistics.

#### (63) *Provincial Administration.*

Finland is divided into eight administrative provinces (*lään*), each having a governor at its head. Matters are submitted to him either by the provincial secretary at the head of the chancery, or by the chief provincial controller. These officials only have a consultative voice, the governor alone decides ; but their countersignature is necessary, and, when their views do not coincide with those of the governor,

they have the right to record them in a special protocol. In case of the governor's absence, the secretary and controller share his duties in common. The other officials consist of under-secretaries, under-controllers, treasurers, and a head book-keeper appointed by the Senate; there are also some officials nominated by the governor.

The provinces are divided into administrative districts (*härad*), of which the number is fifty-one. The functionaries of these districts are the bailiff (*kronofogde*)—charged more especially with the collection of taxes and with the police of the bailiwick—and the secretary of the bailiwick, appointed by the Senate. The bailiff has under his orders the commissaries (*länsman*) appointed by the governor, each of whom has the management of the police in one or two communes of the bailiwick.

In towns it is the bench of magistrates and the police offices (these latter in the larger towns) who act as the agents of the governor in police and executive matters.

Communal organisation is based on the prin-

ciple of self-government, but the administration of the provinces is carried on without the co-operation of the population.

The governor's functions are very numerous :

He must see to the public order and safety, and to the maintenance of roads and bridges ;

He is the head of all the provincial police branches ;

He executes the sentences of tribunals ;

He orders the levying of distress and executions ;

He supervises, by means of Crown inspectors, the tenants of Crown lands ;

He administers the State grain stores ;

He controls the collection of direct taxes and excise, and the administration of the provincial pay-offices ;

He presides over the higher recruiting commission ;

He is the agent of the Senate in all matters for which the province has no special officials or agents ;

The decisions of the communes in certain cases require the governor's sanction ;

He directs the attention of the Senate and of the Governor-General to any measures calculated to promote the prosperity of the province;

He presents every year, to the Emperor and to the Senate, a report on the condition of the province entrusted to him.

The functions of the governor place him in communication, not only with the home section, but also with the other sections of the Administrative Department of the Senate.

#### (64) *Administrative Jurisdiction.*

This department is not organised in Finland so as to form a system of tribunals exclusively charged with the conduct of litigation.

We have stated (sec. 57) that the court of appeal takes cognisance of certain matters determined by law in administrative spheres; the last resort in such cases is the Department of Justice of the Senate.

But the general rule is, that administrative jurisdiction belongs to the governor and to the Administrative Department of the Senate.

The point of departure of the administrative process is, as a rule, the decision of some administrative authority ; it is only in exceptional cases that differences have arisen between the two departments.

Whoever considers himself wronged by the decision of a public authority in an administrative matter, may have recourse to a higher authority.

Complaints against communal authorities are made to the governor.

Applications by way of appeal from the decisions of the governors, or of the central managing boards, are made to the Administrative Department of the Senate.

Matters in litigation relating to the public accounts form a special branch of administrative affairs. The general court for the control of public accounts deals with charges made against the State receivers. This court inquires into and determines whether the receiver's cash account shows any deficit or default, and, if so, to what amount. But it is the province of the tribunals of the judicial

order to sentence to the payment of an indemnity or to a penalty for a criminal offence.

#### B.—THE BANK OF FINLAND.

##### (65) *Organisation.*

In virtue of a provision of section 55 of the law of 1772, on the form of government, the State bank is placed under the guarantee and control of the Diet.

Each ordinary Diet chooses four delegates (one for each order), who have the *management* of the bank, and four others who control the banking operations. All these delegates have deputies, who are likewise appointed by the Diet. Their commission expires with the closing of the following Diet.

The *administration* of the bank is entrusted to a board of directors, composed of a president nominated by the Emperor, and two members also appointed by His Majesty from among the candidates presented by the Administrative Department of the Senate, on the motion of the delegates. The managing directors of the

branches of the bank are appointed by the Senate, on the presentation of the delegates. The bank officials are chosen by the board of directors.

The authority of the delegates and of the board of directors respectively is determined by the bank charter.

The functions of the delegates consist more particularly—

In supervising the operations of the bank, paying special attention to everything connected with the issue and circulation of bank notes;

In fixing the rates of discount and of advances on securities, as also in making other important arrangements relating to investments;

In selecting correspondents or agents abroad;

In deciding as to the establishment of new branches in the country, or as to the closing of those already established—their determination in such cases to be submitted to the Senate for ratification;

In determining, when the annual report of

the revising delegates has been made, upon the propriety of exonerating the board of directors from all responsibility for the preceding year.

The delegates choose their own chairman, and nominate their own secretary.

The chairman convenes the delegates, and has a casting vote in case of an equal division of votes. The delegates deliberate in common with the board of directors on certain questions determined by law.

The delegates must present to the bank committee, at the commencement of the Diet, an account of the operations of the bank throughout the period just concluded.

With regard to the functions of the board of directors, which is charged with all the administrative details of the bank, they are similar to those of all other banking boards.

(66) *Operations of the Bank.*

The chief rôle of the Bank of Finland, which

has the exclusive right of issuing notes,\* is to maintain the fiduciary circulation on a solid basis, whilst providing, at the same time, for the needs of the circulation.

The bank may issue notes to the amount of twenty million marks over and above the sum represented by the reserve of bullion, by the deposits payable at sight in the hands of its bankers abroad, and by the State funds quoted on foreign Bourses. The notes are payable at sight.†

\* The law of May 10th, 1886, has abolished the right of banking companies to issue paper money, a right of which only one company had availed itself, and which it will exercise till its concession expires.—(*Author's note.*)

† The present monetary system of Finland was established by the law of August 9th, 1877. The Finnish currency is solely based on the gold standard. The "mark," sub-divided into a hundred "penni," is the monetary unity. Two gold pieces are coined, the one being worth twenty marks, the other ten, both exactly similar as regards weight and alloy to the French gold coinage.

There are also silver pieces of one and two marks, as well as copper money.

Gold is received in payment to any amount. As far as the silver and copper coinage is concerned, private individuals are not compelled to accept more than ten marks in silver and two marks in copper money.—(*Author's note.*)

In case the reserve of bullion should fall below ten millions, the Government is authorised to negotiate abroad a maximum loan of eight millions ; the amount borrowed to be placed at the disposal of the bank which has to pay back the loan.

The bank carries on, moreover, commercial operations, having a special regard, however, to the security of its investments, but it pays no interest on deposits.

(67) *Functions of the Diet with regard to the Bank.*

It is the duty of the bank committee appointed by the Diet (*vide* section 37)—

(a) To investigate the operations and financial position of the bank, and to report on the same to the Estates ;

(b) To propose to the Diet such provisions as it may deem necessary for the administration of the bank, whether on the initiative of the committee itself or at the instigation of the delegates.

The assent of three orders suffices to con-

stitute a resolution of the Diet in these matters.

Legislative acts relating to the bank, that have been adopted by the Diet, are submitted for the Emperor's sanction.

The bank committee must verify the amount of profits of the bank ; and the Diet decides, on the report of the finance committee, what sum shall be assigned to the State revenue.

Should it be thought necessary, in the interval between two Diets, to modify any rules relating to the operations of the bank, the Emperor may, at the request of the delegates, authorise the publication of a provisional law, which will be submitted to the approval of the ensuing Diet.

#### C.—THE UNIVERSITY.

##### (68) *Organisation and Functions.*

The advancement of science, and the preparation of young people for the service of the Sovereign and the fatherland, are entrusted to the Alexander University—the only one in the country.

The university professors are either ordinary or extra-ordinary, or are fellows (docent) or else lecturers.

The university comprises four faculties — theology, law, medicine, and philosophy, the latter being divided into two sections.

The examinations of students who have concluded their studies are conducted before the faculties, whose certificates are valid as a declaration of competency to fill the various posts of the civil service.

The decisions of the faculties are absolute with regard to the scientific competency of candidates for the university professorships.

The managing authorities of the university are—the chancellor, the vice-chancellor, the rector, and the academical consistory.

The chancellor, appointed by the Emperor, is the intermediary between the university and the Emperor.\* He submits to the Emperor the matters reserved for the Sovereign's decision,

\* For the last 50 years, the Heirs-Apparent of Russia (Tsaré-vitch) have succeeded each other as Chancellors of the Alexander University.—(*Author's note.*)

such as modifications of the statutes of the university, the appointment of ordinary professors and of the chief librarian, after the consistory has presented the candidates. He appoints, on the presentation of the consistory, the other professors and officials, as also the rector, the vice-rector, and the deans of the faculties; he decides certain matters of regulation referred to him by the consistory.

The vice-chancellor, nominated by the Emperor and attached to the university, gives his opinion first on the matters to be submitted to the chancellor, and himself settles certain current questions.

The consistory, presided over by the rector, is the centre of the university's authority, and is composed of twelve ordinary professors, six of whom are of the philosophical faculty, and two from each of the other faculties. For the purpose of nominating professors, of granting subsidies for scientific expeditions, or for deciding other questions relating to the sciences, all the ordinary professors are present at the

consistory, as is also the case on the election of the rector.

The ordinary consistory has authority in all branches of university administration; it has the right of decision within the limits of the statutes and budget; it submits to the chancellor questions reserved for his judgment, or for that of the Emperor.

The rector of the university is the chief of the chancery; he prepares the questions to be submitted to the consistory; he manages the finances of the university, assisted by a council of professors appointed for that purpose; he exercises, alone, or in council with the deans of faculties, a disciplinary authority over the students.

The university library is at the same time the national library.

(69) *Legislation ; Budget.*

The maintenance of the university being guaranteed by law, that institution cannot be abolished without the consent of the Diet; but

the Emperor and Grand Duke has the right, without the co-operation of the Diet, to issue decrees relating to the details of its organisation.

Every project tending to modify the university statutes is examined by the Senate, before being submitted for the Emperor's sanction.

The autonomy of the university—an autonomy which, for that matter, does not constitute independence of State authority—it is rather a separate system from the other administrations—does not extend to the budget ; it is the Senate that considers and submits to the Emperor all alterations to be made in the university budget.

#### D.—PUBLIC FUNCTIONARIES.

##### (70) *Qualification.*

None but Finnish citizens may enter the civil service of Finland. The law admits but one exception to this rule, and that is in the case of a foreigner who, by his great and brilliant qualities, might be particularly useful to the

country; it is for the Emperor to judge of this matter.

The competency of candidates is secured by means of examinations held by one of the university faculties, by the Polytechnic Institution, the Agricultural College, or by the Military School. The examinations required for the different branches of the service are determined by regulations and ordinances. A knowledge of the two languages\* of the country is one of the conditions of competency; but there are certain inferior posts for which the law has fixed no conditions of competency.

Ability, experience acquired in the public service, and civic virtues, give a claim to nomination, whilst inequalities of birth are not to be taken into consideration.

#### (71) *Irremovability.*

The principle of irremovability, by virtue of which a public official may not be dismissed, except in consequence of a legal sentence of a court, is recognised, by the fundamental laws,

\* Swedish and Finnish.—(*Translator's note.*)

as the general rule for public offices of the Grand Duchy.

This principle is applied, without exception, to the office of a judge.\*

With regard to certain administrative and military offices, there are some exceptions :

(a) The so-called confidential posts, such as the higher offices in the civil service, to which the Emperor has the right of nomination, and, in the army, the posts of commanders of battalions, or any place of the same or a superior rank ;

(b) The police officers and collectors of taxes ;

(c) The subordinate officials of the railways and canals.

(72) *Salaries, Pensions.*

Every public functionary has a right to the

\* It does not apply to the members of the Department of Justice of the Senate, because their functions are, in the first place, those of members of the Emperor's council ; it is only by delegation that they exercise the judicial power belonging to the Sovereign.—(*Author's note.*)

salary fixed for the post he occupies. But he cannot demand that portion of the salary which is retained on behalf of the pension fund for widows and children ; and he is obliged, in case of temporary leave of absence, to surrender to his substitute a proportion, determined by law, of his salary.

The Lutheran clergy, with the exception of the bishops who are paid by the State, receive their salaries from their parishioners.

The district judges receive only a trifling remuneration from the State, their main source of income being a tax paid, in virtue of a special law, by the landowners and householders of the district.

All other officials receive their salaries from the State.

Some of the offices have, in addition, perquisites in the shape of certain charges payable by the public.

At the age of 63, and after 35 years of irreproachable service, a functionary can claim, on retiring, the life-pension established for the post he has held. Should he leave the service

sooner on account of certified ill-health, he has a right to a portion of the pension.

For certain branches of the service there exist some modifications of these conditions.

Should a public servant lose his place through the abolition of the post, the law guarantees him a compensation for life. Such a person is obliged to accept any equivalent place that may be offered to him, otherwise he loses the right to the above-mentioned compensation.

The widows, the sons under age, and the daughters of any age of deceased functionaries, receive a pension from the fund established for that purpose. These funds are supported by the annual contributions of the functionaries, whilst some of them are subsidised by the State.

The regulations of these pension funds are sanctioned by Government, but the funds are managed and controlled by delegates of the respective groups of officials to whom they belong.

#### (73) *Duties of Public Servants.*

On entering the service every functionary

must take the oath to serve the Sovereign and the fatherland honestly and faithfully.

To observe and apply the laws is the general duty of every public servant, who must moreover execute the orders of his chiefs and of the higher authorities.

If the order given to an official is contrary to law, whom must he obey ?

The law itself gives no direct answer to this question ; it is a matter of principle. Administrative discipline seems disinclined to admit that a subordinate should have the right to criticise orders given to him by his immediate superior. It is clear that he will be wrong if he opposes the execution of a measure because he himself does not consider it useful. But a functionary, accused of disobeying the commands of his superior, will not be punished if it is shown that the command was contrary to law. It is not a blind obedience, but a loyal and intelligent obedience, that the constitution of the State exacts from its servants.

Judges, however, in the exercise of their functions, are under no obligation to conform

to orders that may be given to them. This rule is likewise applicable to the administrative functionaries whose business it is to decide on the application of a law.

Discretion is one of the duties of a public servant; he binds himself by oath not to divulge that which requires secrecy.

He must abstain from any occupation which could interfere with his public duties.

## XII.

### THE COMMUNES.

(74) *The Autonomy of the Communes.*

Whilst the provinces and the bailiwicks merely represent circumscribed parts of the State administration (*vide* section 63) the law recognises the right of the communes to self-government.

Within the framework of communal administration we find all the local interests of the commune—finance, communal property, schools, sanitary matters, legal assistance, and police. The only exceptions are for certain cases which, by virtue of special laws, come under the jurisdiction of the State authorities.

Communal autonomy is, however, not un-

limited; in certain matters the decisions of communal authorities are only valid after being submitted to the governor or to the Senate for approval. Resolutions concerning extraordinary taxation for a long series of years, with a special object, or relating to the establishment of sanitary or police regulations, must be referred to the governor. All decisions for the purpose either of selling or mortgaging real estate belonging to the commune, by virtue of a deed of gift, or of fixing or increasing the charges for highways, bridges, &c., require the approval of the Senate. In order to contract a loan for a long term, the rural commune must request the authorisation of the governor, the urban commune that of the Senate. The towns must, moreover, submit to the approval of the Senate the salaries of officials which they are obliged to have—burgomasters, councillors, and some others.

The popular schools of the communes are subsidised by the State, on condition that they conform to the system established by the law on popular schools.

(75) *The Towns.*

Whoever exercises a commercial or industrial trade or profession, or owns real estate, or has his legal residence in an urban commune, is a member of that commune.

The right of administering communal affairs is exercised, in towns with not more than 2,000 inhabitants, by the general assembly (*rådhusstämma*) ; in towns with more than 2,000, by the town council (*stadsfullmäktige*) or delegates of the town. All towns of the first category may decide, in a general assembly, to establish a municipal council provided with this right of administration.

The general assembly, in each town, determines the amount of income of a person which forms the unit of taxation, 200 marks being the minimum and 400 marks the maximum established by law. This assessment is taken for a period of from three to five years.

The franchise is based on taxation—two units of taxation are counted for one vote, three units for two votes, four for four, and so on up

to twenty-five, the maximum of votes for any one member of a commune. Women are not excluded from the suffrage.

In the towns where there is no municipal council, the general assembly, presided over by the burgomaster, meets either at the times fixed by law or when the bench of magistrates considers necessary. All matters to be submitted to the assembly must be prepared by the bench of magistrates.

In towns with a municipal council—as is usually the case—the general assembly, as a rule, only meets for the election of town councillors, of committees for the assessment and revision of taxation, and of financial controllers.

The number of councillors is fixed by the general assembly in the proportion indicated by law. It is from 12 to 30 in towns with less than 2,000 inhabitants, from 21 to 40 in towns having a population of more than 2,000 and less than 10,000, and so on up to a maximum of 60 councillors. In certain financial questions of great importance the number

of councillors must be augmented by special election to a number exceeding by one-half the ordinary number. All members of the commune are eligible who have the right of voting and are 25 years of age, excepting women, bankrupts, and those accused of or condemned for an infamous crime.

The governor, the secretary and the controller of the province, the burgomaster, the alderman, the police officials, the public prosecutor, and the communal functionaries subordinate to the municipal council, are ineligible.

Councillors are elected for three years, a third of them retiring annually; they receive no salaries. They choose from amongst their number a president and vice-president. The burgomaster, or his deputy, as president of the bench of magistrates, must be present at the meetings of the council.

The council may appoint committees for the preparation of business.

Every town must have a finance office (drätselkammare), charged with the administration of the finances. The regulations of

the finance office are submitted to the Senate for approval. The municipal council may also constitute other agencies for different branches of administration ; thus we find a school board in each town.

The bench of magistrates joins to the functions of an administrative tribunal and of the executive and police authority those of supervising the administrative agencies established by the municipal council. It has the power, moreover, to oppose the execution of the decisions of the municipal council, if it consider them contrary to law.

The bench of magistrates is likewise charged with the preparation of the annual town budget, which is voted by the town council, or in default of the latter by the general assembly.

The excess of expenditure over the revenue of the commune and the indirect receipts is met by an income-tax based on the above-mentioned scale. The regulations for taxation are fixed by law. There is a right of appeal from the decisions of the assessment committee to a revising committee.

(76) *The Rural Communes.*

The organisation of the rural communes is different from that of the towns, especially in there being no magisterial bench nor other public body of similar authority, and also in that every commune, great or small, may reserve to a communal council (*kommunalstämma*) the exercise of the right of administration, the institution of a council of delegates being merely optional.

As regards the qualifications required in order to be a member of the rural commune, and to exercise the franchise in it, they are almost the same as in the urban commune. Each unit of taxation counts as a vote.

The communal council elects its own chairman, by whom it is convoked ; it has authority in all communal matters.

The communal vestry (*kommunalnämnd*) is charged with the execution of the decisions of the council and with other functions belonging to an administrative agent.

It comprises a chairman, a vice-chairman, and, at least, five members, all elected for three years by the communal council. The vestry is charged with the taxation (unless the council has entrusted it to a special committee) and prepares the budget, which is voted by the council. Controllers, nominated by the council, audit its accounts.

### XIII.

## ORGANISATION OF NATIONAL DEFENCE.

### (77) *General Dispositions.*

Personal military service is compulsory for every Finnish citizen. The army is composed of: (1) Active troops on permanent service; (2) The reserve, the principal object of which is to complement the active troops in case of war; and (3) The militia or national guard (*landtvärn*), composed of all those who have passed through the reserve.

The annual contingent comprises all young men who, before January 1st of the current year, have attained the age of twenty-one years.

This contingent is distributed among the

active troops and the reserves, the distribution being made by lottery. All those who have been condemned for infamous crimes are excluded from military service.

(78) *Duration of Service ; Exemptions.*

The length of service in the active troops is, in general, three years, followed by two years in the reserve.

Those who enter the reserve direct are enrolled in it for five years. During the first three years the reserves are annually called out for training, the total duration of which is three months.

Each annual contingent forms a class in the army registers.

The citizens who have finished their service in the reserve are enrolled in the militia, in which they remain till the age of forty.

The militia may only be mobilised when an enemy has entered the country. It is then formed into national guard battalions, and enrolled into the corps of the reserve troops of

the dépôt, who have been re-called to their colours by reason of the outbreak of war.

Exemption from or postponement of military service is granted on grounds of infirmity or sickness, as well as for family reasons determined by law (only son, &c.) Postponement of service may be accorded for pecuniary reasons and for the completion of studies.

The length of active service is shortened by a year for those who have passed through one of the higher public schools, by a year and a half for those who have finished the course of a lyceum, or higher commercial or agricultural school, &c., and by two years for students of the university.

Clergymen are exempt from military service ; doctors, schoolmasters, sailors of the merchant marine and pilots, in the exercise of their duties, are only obliged to serve in time of war.

A limited number of one-year volunteers are received among the active troops, on condition that they have reached seventeen years of age, and have passed through a lyceum or other higher school. This year of voluntary service

is equivalent to the active compulsory service. The enrolment of volunteers may also take place under certain other conditions.

(79) *Enrolment Service.*

Each province of the country has been divided by the Senate into districts of enrolment of 15,000 to 20,000 inhabitants. Commissions, composed of a war commissary as chairman, of an officer and of a magistrate, have been formed for the purpose of carrying out the measures relating to the enrolment of the contingents, the drawing of lots, medical inspection, exemption from service, &c. When the commission exercises its functions in the districts, three members of the communal council are added to it. The medical examination and the drawing of lots take place in the districts between April 15th and June 24th, and the service commences on November 1st.

There exists in each province a higher commission to which complaints may be addressed. Against the decisions of this latter, an appeal

is allowed to the Department of Justice of the Senate.

(80) *Command and Formation of the Troops.*

The Governor-General is the commander-in-chief of the Finnish army. The general management of military affairs belongs to him. He presents to the Emperor, through the medium of the war minister, the candidates for officers' commissions. He appoints reserve officers to the posts of heads of companies.

He has, as adjutant, a chief of the staff, who manages the military chancery.

The Governor-General decides, concurrently with the Senate, as to the mode of distributing the ninety days of training for the reserves over the three years prescribed, also as to the assembling of the active troops in camps of instruction within the country.

There is, too, a general commander charged with the inspection of the troops and with the management of the minor details of military matters. He is likewise assisted by a chief of the staff and a chancery.

None but Finnish citizens can enter the Finnish army.

In time of peace every officer must retire from the service at the age of from fifty to sixty years, if he occupies a position lower than that of a battalion commander. Officers enjoy the same rights as civil servants.

The effective strength of the troops in time of peace is fixed by law. Their formation, their distribution over the different arms and their localisation, are decided by the Emperor and Grand Duke on the motion of the Senate.

The law establishes the order in which the reserves must be called out in case of war, so as to complement the active army, as also to form dépôt troops. The object of the armed force of Finland is to defend the Throne and the Fatherland, and thus to contribute to the defence of the Empire.



## TRANSLATOR'S APPENDIX.

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*Translation, from the Swedish originals, of the Decrees  
signed by Alexander I., Nicholas I., Alexander II.  
and Alexander III.*

HIS IMPERIAL MAJESTY'S GRACIOUS DECREE TO ALL  
THE INHABITANTS OF FINLAND—given at Borgo,  
<sup>23 March</sup>  
<sub>4 April</sub>, 1809:

We, Alexander I., Emperor and Autocrat over all the Russias, &c., &c., &c., Grand Duke of Finland, &c., &c., do make manifest: That when We convoked Finland's Estates to a General Diet and received their Oath of Allegiance, We did, on that occasion, desire, by means of a solemn Act prepared in their presence and proclaimed in the Sanctuary of the Most High, to confirm and secure to them the maintenance of their Religion and fundamental laws, together with the liberties and rights that each Estate, in particular, and all Finland's Inhabi-

tants, in general, have hitherto enjoyed. Moreover, whilst hereby announcing to our faithful Finnish subjects the above-mentioned Act, We are also desirous of notifying to them that as We have maintained and adapted Ourselves to the time-honoured custom of this Land, We do deem the Oath of Fealty that the Estates, in general, and the Deputation of Peasants, in particular, did freely and unconstrainedly take, in the name of their brethren at home as well, to be good and binding on all the Inhabitants of Finland without exception. Thoroughly convinced that this good and honest People will ever cherish towards Us and Our successors that same fidelity and unshaken attachment for which It has always distinguished Itself, We shall not fail, with the Almighty's aid, to afford Them further proof of our constant Fatherly solicitude for Their happiness and well-being. Borgo, March 23, 1809.

(Signed)                    ALEXANDER.

HIS IMPERIAL MAJESTY'S GRACIOUS ASSURANCE TO  
ALL FINLAND'S INHABITANTS—given at St. Petersburg, December 12/24, 1825.

We, Nicholas I., by God's Grace, Emperor and Autocrat over all the Russias and Grand Duke of Finland, &c., &c., Make manifest: That as We, by the will of Providence, have come into hereditary

possession of the Grand Duchy of Finland, We have hereby desired to confirm and ratify the Religion and fundamental laws of the land, together with the privileges and rights each Estate in the aforesaid Grand Duchy, in particular, and all the Inhabitants, in common, both high and low, have hitherto enjoyed according to the Constitution: Promising to preserve all these prerogatives and statutes steadfastly and firmly in their full force. In confirmation whereof, We have signed this Act of assurance with Our own hand. Given in St. Petersburg, December 12/24, 1825.

(Signed) NICHOLAS.

The Declaration of Alexander II., signed at St. Petersburg <sup>Feb. 19</sup> ~~March 3~~, 1855, is identical with the preceding, except that the words "according to the Constitution" (enligt Constitution) have been changed into "according to the Statute of the land" (enligt detta lands Författning).\* The last sentence "In confirmation whereof, &c.," has also been omitted.

(Alexander III.)

The present Emperor and Grand Duke <sup>^</sup> signed a Manifesto exactly similar to that of Alexander II. It is dated March 2/14, 1881.

\* Though worthy of notice, this slight alteration has no real significance, the Swedish word "Författning" having precisely the same meaning as "Constitution."—(Note.)

Nicholas II., upon his accession to the throne in 1894, signed a manifesto exactly similar to that of Alexander II and Alexander III.

BUDGET OF THE GRAND DUCHY OF FINLAND  
FOR 1888.

## REVENUE.

(1) State Property ;		Finnish marks.*
Lands	... ... ... ...	650,000
Forests	... ... ... ...	1,100,000
Railways (net income)	... ...	2,300,000
Canals (gross income)	... ...	501,000
Interest on capitalised funds	... ...	1,194,000
Interest and repayment of sums advanced for purchase of land		650,000
Bank of Finland (profits of issue)		249,541
		<u>6,644,541</u>
(2) Direct Taxation :		
Land tax	... ... ... ...	4,396,700
Personal taxes	... ... ... ...	1,860,000
Trading licenses	... ... ... ...	355,000
		<u>6,611,700</u>
(3) Indirect Taxation :		
Customs	... ... ... ...	12,500,000
Excise	... ... ... ...	4,360,000
Tobacco	... .. ... ...	1,100,000
Light-dues on shipping	... ...	550,000
Playing cards	... ... ... ...	25,000
		<u>18,535,000</u>
(4) Stamps	... ... ... ...	1,240,000
(5) Post office (gross income)	... ... ... ...	1,100,000
(6) Miscellaneous	... ... ... ...	867,861
(7) Surplus of 1887	... ... ... ...	7,665,000
		<u>Total Revenue</u> <u>42,664,102</u>

\* The Finnish mark equals 1 franc.

## EXPENDITURE.

## (1) Government :

			Marks,
Grant to H.I.M. the Emperor and Grand Duke	...	...	280,000
Allowance and office expenses of Governor-General	...	...	201,600
Senate	...	...	1,154,200
Secretary of State's office at St. Petersburg	...	...	294,900
Diet	...	...	275,000
			<u>2,205,700</u>

## (2) Law and Justice ... ... ... ... 1,219,800

## (3) Military Forces ... ... ... ... 6,291,501

## (4) Central and Provincial Administrations :

Inland section	...	...	3,734,598
Finance section	...	...	2,452,019
Control section	...	...	380,794
Section of public worship and instruction	...	...	118,200
Section of agriculture and public works	...	...	825,420
			<u>7,511,031</u>

## (5) Ecclesiastical and Educational Department :

Subventions to established church	431,643
Sciences and fine arts	199,853
Helsingfors University	699,226
Popular schools* ...	1,231,210
Higher educational establishments	2,334,316
Schools for the blind, and deaf and dumb	92,667
Polytechnic	137,350
Other professional establishments	259,186
Miscellaneous	21,973
	<u>5,407,424</u>
	<u>22,635,456</u>

\* Part of the expenses for popular schools are defrayed by the communes.

	Brought forward	...	...	22,635,456
(6) Hospitals and Prisons	...	...	...	2,579,479
(7) Public Works and Agriculture :				
Maintenance of canals	...	...	239,000	
Railway construction	...	...	3,540,000	
Registration of lands	...	...	242,800	
Grants to agricultural societies	...	...	99,129	
Schools of agriculture	...	...	306,500	
Miscellaneous	...	...	459,600	
			—————	4,887,029
(8) Pensions and Allowances	...	...	...	1,524,623
(9) Public Debt :				
Interest	...	...	2,978,011	
Sinking fund	...	...	1,412,989	
			—————	4,391,000
(10) Public Buildings and Miscellaneous Expenditure	...	...	...	2,346,876
			—————	
	Total Expenditure	...	...	38,364,463
			—————	

PUBLIC DEBT OF THE GRAND DUCHY ON  
JANUARY 1, 1888.

				Marks.
4½ per Cent. Interior Loan	...	...	...	8,220,100
4 per Cent. Russian Loan	...	...	...	4,640,000
Erlanger Lottery Loan (bearing no interest)				4,860,346
4½ per Cent. Rothschild Loan	...	...	...	25,275,692
4 per Cent. Rothschild Loan	...	...	...	26,914,000
			—————	
			Total	69,910,138
			—————	

Most of the above loans are at the present time quoted above par on the Berlin Bourse.

## RAILWAYS.

Finland has 1540 kilometres of State railway, representing a capital of 120 million marks. A new line between Kuovola and Kuopio will shortly be opened. Its length is 249 kilometres, the cost being reckoned at 17 million marks. Several other railways are in course of construction. Besides the above there is one short line belonging to a private company.

## CANALS.

The canals, all made by the State at a cost of about 19 million marks, are of great importance for maintaining communication with the vast lakes in the interior. The most remarkable is the Saima Canal, which connects the lake of that name with the Gulf of Finland. Its total length is 59 kilometres; and, as the difference between the levels at the extremities is 250 feet, no less than 28 locks were rendered necessary, many of which had to be built in the granite rock that abounds in the country.

## TELEGRAPHS AND TELEPHONES.

All the principal towns and villages throughout the Grand Duchy are connected by telegraph, which, however, is under the control of the Russian Government. Private telephone companies have reached an astonishing degree of development, especially in Helsingfors, the capital (pop. 65,000),

where probably more use is made of this institution than in any other town of Europe of corresponding size.

#### POPULATION.

The population of Finland has doubled since the commencement of the century, and now reaches nearly  $2\frac{1}{2}$  millions, of whom, in round numbers, about 2 millions are represented by the native Finns, 350,000 by descendants of the Swedish settlers, 40,000 by Russians, 2000 by other foreigners\* (mostly Germans), and 1000 by Laplanders, these latter living in the extreme north only.

#### EDUCATION.

Education is almost universal, only two per cent. of the children of both sexes being unable to read or write. Considering the sparsity of the population and the climatical difficulties, this splendid result speaks volumes for the zeal of the Finnish Government and clergy alike.

\* The great majority of the Russians and other foreigners are naturalised Finnish subjects.—(*Note.*)



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